

## Notable British Trials

The Bloody Assizes

# NOTABLE BRITISH TRIALS SERIES

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**James II. surrounded by his Court**

*(From the painting by Verrio, presented to Christ's Hospital in 1687)*

# THE BLOODY ASSIZES

EDITED BY

J. G. Muddiman, M.A.(Oxon.)

EDITOR OF THE TRIAL OF KING CHARLES I.

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TO  
THE EARL OF BIRKENHEAD  
LORD HIGH CHANCELLOR, 1919-1922



## PREFACE.

THE book called "The Bloody Assizes" has been utilised by so many historians that a reprint and a fuller and more critical account of it and its writers than has yet appeared has long been needed. And since the present reprint omits precisely those portions of the book to which no historian ever has paid, or ever will pay, the slightest attention, no apology for these omissions is necessary.

The judges' lists, upon which, it will be admitted, all accounts of Lord Jeffreys' Western Circuit must in future be based, have long been known, but have never before been indexed and arranged. They were first printed in 1716 as "An Account of the Proceedings against the Rebels. . . . Published from an original manuscript," but the source was not stated, and the rest of this tract was most inaccurate. And not until 1923 did they appear in the Calendar of State Papers utilised in the present volume. As the judges' clerks arranged them, the lists were so disorderly that it has been a cause of wonder how Aaron Pengry and the rest of the Commissioners appointed to realise the rebels' estates managed to make use of them.

The new authorities utilised, in addition to these, are chiefly the newsletters of Henry Muddiman, and Lord Jeffreys' warrant to the Sheriff of Somerset. Minor authorities are described in the text of the present book.

J. G. MUDDIMAN.

LONDON, *October*, 1929.



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# THE BLOODY ASSIZES.

## SECTION I.

### Legends and Sources.

THE "infamous" Judge Jeffreys and the "Bloody Assizes" presided over by him have become a commonplace of works of reference, and are known to all readers. In Somerset farmhouse and village hostelry to this day tales are still told over the cider about the terrible punishment meted out by Jeffreys after Sedgemoor in 1685. They lack definiteness, all these stories; some are untrue and many absurd, but they all have some sort of a foundation in fact, and all point definitely to one thing, and that is to a Western Circuit, unprecedented alike for the numbers of country folk sentenced to death and for the numbers actually executed for high treason. Only three counties were affected by the Western Circuit of September, 1685—Dorset, Somerset, and Devon—and of these the last may almost be left out of the reckoning—so small a number was there tried or punished within its borders. It has been said (and we need not pause to inquire whether the estimate is accurate or not) that 1800 of Monmouth's followers perished at Sedgemoor, and that 500 of the Royal troops were slain. One part of the field of battle is still known as Graveyard Field, and here on 29th July, 1928, a memorial to the fallen was unveiled. So the memory of Monmouth and his followers still endures.

But, in spite of all that has been written on the subject, the exact number of those executed after Monmouth's Rebellion has never been known. And it is still a moot point whether Lord Jeffreys was really to blame for the severity displayed. All contemporary writers, Tories as well as Whigs, disagree about the number of rebels executed, and combine to abuse Lord Chief Justice Jeffreys. The loyal Thomas Bruce, Earl of Ailesbury, actually wrote that the Chief Justice "swore that all that were guilty should be hanged, and, as I have been told, he passed sentence on eight hundred in one day." Lord Lonsdale, not to be behind-hand, asserts that Jeffreys executed seven hundred, and Burnet, the would-be historian of his own times, states positively that six hundred were executed, and, as he never tells a falsehood without adding circumstance to it, Burnet proceeds to add that many were not given "a minute's time to say their prayers." When we turn in perplexity from memoirists to the historians of the time for an accurate and detailed account of all that happened, we find that they also differ. The huge folio volumes written by them are rarely

## The Bloody Assizes.

taken from their shelves nowadays, but still have a certain value for their writers' own times.

First in the field was the third volume of the "Complete History of England," written by the Whig partisan, White Kennett, appointed Bishop of Peterborough at the end of 1718. This was published in 1706.<sup>1</sup> In spite of his political partisanship, which from time to time drew upon him a storm of attacks, Kennett was a laborious and painstaking antiquary. He writes—

"The Lord Chief Justice Jeffreys, with four other Judges, his assistants, and a body of troops commanded by Col. Kirk, was sent into the West of England with a special commission to try the poor wretches that had been in the rebellion. At Winchester Mrs. Alicia Lyle, the relict of John Lyle, one of King Charles the First's judges, a woman of extreme age, was try'd for concealing Mr. Hickes, a nonconformist teacher, and [*sic*] Richard Nelthorp (the latter being a stranger and the former in no proclamation), and, though the jury brought her in three times not guilty, yet Jeffreys' threats so far prevailed that she was at last found guilty of High Treason and beheaded for it. A cruel judgment that was afterwards reversed by the Convention called by the Prince of Orange.

"The judges went next to Dorchester, where Jeffreys finding thirty persons returned by the Grand Inquest, as assistants to the late Duke of Monmouth, he contrived this stratagem of taking the shortest way with them. When they came upon their tryals he told them that whosoever pleaded not guilty, and was found so, should have little time to live; but if any expected favour they must plead guilty. But the prisoners would not trust him, though they might as well have depended upon his mercy as his justice, and a confession or denial had been all one. For of thirty pleading not guilty, twenty-nine were found guilty and soon after executed, as were fourscore more out of two hundred thirty-three, who were deluded to plead guilty to their indictments by a promise of pardon. The same was done at Exeter to near as many, who were alike deluded, as also at Taunton and Wells, where the Lord Jeffreys finished his Bloody Assizes. In these two last places he condemned about five hundred persons, whereof two hundred (and) thirty-nine were executed, and had their quarters set up in the principal places and roads of those countries, to the terror of passengers and the great annoyance of those parts."

According to Kennett, therefore, 109 were executed in Dorset, "near as many" in Devon, and 239 in Somerset, or a grand total of from 430 to 450.

Next followed a Tory, who based his statements upon White Kennett, but arrived at different figures. Archdeacon Echard,

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<sup>1</sup> Roger North's "Examen; or, an enquiry into the credit and veracity of a pretended 'Complete history,' viz., Dr. White Kennett's History of England" was not published until 1740, and deals only with the reign of Charles II.

## The Historians.

who was born about 1670, died in 1730, and published his "History of England" in 1718, states that—

"The judges went next" (from Winchester) "to Dorchester, where Judge Jeffreys finding thirty persons returned by the Grand Inquest as assistants to the late Duke of Monmouth, he contrived this stratagem of taking the shortest way with them. When they came upon their tryals he told them that whosoever pleaded not guilty, and was found so, should have but little time to live, but if any expected favour they must plead guilty. But the prisoners would not trust him, and of thirty pleading not guilty, twenty-nine were found guilty and soon after executed; as were fourscore more in another place, out of two hundred, who were deluded to plead guilty to their indictments as a promise of pardon. The same was done at Exeter to near as many, who were alike deluded; as also at Taunton and Wells, where the Lord Jeffreys finished his Bloody Assizes. In all which places he condemned above five hundred persons, whereof two hundred and thirty were executed and had their quarters set up in the principal places and roads of those countries, to the terror of passengers and the great annoyance of those parts. After this bloody expedition, it is said that the Chief Justice was heard to boast that he had hang'd more men than all the judges of England since William the Conqueror. [Absurd!] And yet the cruelty of the judge often yielded to the avarice of the man, who was not more hasty to hang up those who had no money than he was forward to procure pardons for those who could pay well for them; and he had the conscience to take above fourteen thousand pounds from one Mr. Prideaux, to save his life. And many of those poor wretches who could not purchase pardons at his lordship's rate were sold for slaves into the American plantations. Others met with different punishments, as pillories, cruel scourgings, and the like severities."

Last of all, John Oldmixon, who was born in 1673 and died in 1742, published his "History of England" in and before 1730, for the chief purpose of attacking Echard, of whom he writes throughout in the tone and with the verbiage of a personal enemy. His account is interesting because, like Defoe (who has left no record of the fact), he himself was one of Monmouth's followers, but escaped trial.

"I shall refer for the main of Jefferies's bloody Assizes," said Oldmixon, "to a book so-called, which, for the most part, is fairly tho' poorly writ. The Villain began his villainy, I beg the reader to bear with this language, when I am upon such subjects, at Winchester, where he tryed Mrs. Alica Lisle," &c.

Oldmixon then proceeds to tell his readers that the jury twice (not three times) brought in Mrs. Lisle "not guilty," and were only overborne when Jeffreys threatened them "with an attain of treason." This last statement was taken from Burnet.

Oldmixon, who as a westcountryman was better informed than the rest of the writers cited above, cautiously avoided com-

## The Bloody Assizes.

mitting himself to any estimate of the number condemned and executed during the Assizes, and comments as follows:—

“The chief of the prisoners whom Jefferies butchered were Col. Holmes, Christopher Bettiscomb Esq, Charles Speke Esq, Mr. Benjamin Hewling, Mr. William Hewling, Col. Bovet, Capt. Madders, Col. Annesley, Capt. Larke, Mr. Matthew Bragg, Capt. John Hucker. Mr. Roger Hoare is put down in the list printed in the ‘Bloody Assizes,’ but he was reprieved a few hours before the time set for execution, and was afterwards a member of several Parliaments [for Bridgewater]. Mr. Hicks the minister was hanged at Glastonbury, and Echard prints his speech, because he fancied there’s a word or two in it in favour of his darling doctrine of passive obedience. It is not warrantable for any subject to resist lawful sovereigns” (these last words were written in sarcasm).

Since Oldmixon concludes with an assertion that Dr. George Hickes, the brother of John “Hicks” mentioned above, and Dean of Worcester at the time, refused to intercede for his brother on the ground that he was a fanatic, it should be pointed out that the Dean did his best to save his brother’s life, and even attempted to bribe Lord Shannon to obtain a pardon.

There are no notes to these three ancient tomes, nor does any one writer mention any other authority than the “Bloody Assizes” described by Oldmixon. And as one object of the present book is to reprint the material portions of the “Bloody Assizes,” a few words about the ordinary sources of information—the journalists of the times—are necessary before we pass on to consider the “Bloody Assizes” itself.

There was but one newspaper (published twice a week) throughout the year 1685, and this was the *London Gazette*, then written by Robert Yard, who was a clerk in the offices of Lord Sunderland, one of the two Secretaries of State. The *London Gazette* rarely contained domestic news, and the only mention in it of the proceedings against Monmouth’s followers was a brief notice of the execution of Mrs. Lisle. Domestic news—the news that really matters—was sent out by newsletters from the offices of the Secretaries of State. Yard was the writer of those sent out from Lord Sunderland’s office, but few of his newsletters have survived and none can be identified, for they had no heading, and (as they were copied by clerks) no signature. The other newswriter, who is much better known, was Henry Muddiman, the first editor and founder of the *London Gazette*, who was at that time attached to the other Secretary of State, the little known Lord Middleton. Muddiman was privileged to use the heading “Whitehall,” by which his newsletters can always be identified. And, fortunately, he was in the habit of keeping the drafts of his letters entered up into a book, in case any question arose about the news he sent out—a practice which was of good service to him upon more than one occasion during his thirty years’ career as a journalist.

## Popish Whigs.



*By you and not this Cypre head doe sit  
Mopkins A Zealous, A huggeri Legit  
A Teckebush now bless Protestant  
One who has taught the Brotherhood to Cant  
A Miracle in Nature, who can see  
Things that ne'er was, nor ere believ'd*

**Titus Oates**

(From a caricature of 1685, in the British Museum)

## Journalists and Printed Lists.

Muddiman's letters, therefore, are practically the sole journalistic source of information about the reign of James II.<sup>2</sup>

The seventeenth century was the age *par excellence* of pamphlets, and it might be thought that pamphlets were published at the time giving "relations" of the proceedings at the Assizes over which Jeffreys presided. On the contrary, there is a singular and baffling absence of all pamphlets of the kind, and the solitary examples brought to light consist of the five extremely inaccurate and incomplete lists noticed below (see pp. 31, 32, and 37, notes).

These facts explain the mistakes and contradictions in the statements enumerated above. White Kennett and the others did not really know what happened, for they had no better source of information than Whig newsletters, or the "Bloody Assizes."

The book called "The Bloody Assizes" did not pass without a protest, for the anonymous author of a book, published in 1712, and entitled "A Caveat against the Whiggs" (Part 2, p. 22), thus describes it—

"But they [the Whigs] have gone farther yet, and in imitation of their elder brothers, the papists, have furnish'd out a new Martyrology of those Holy Ones who died for rebellion and treason, so that they can not only turn religion into rebellion, but sanctifie rebellion into religion, and by a dash of their pen change a pernicious crew of rebels and traytors into a noble army of Saints and Martyrs. 'Tis a great pity that highwaymen and housebreakers cannot do the like kindness for their poor, suffering, persecuted bretheren!

"I have, indeed, sometimes thought, that in Jefferies his Western Circuit, Justice went too far before Mercy was remembered, tho' there was not above a fourth part executed of what were convicted; but when I consider in what manner several of those lives then spared were afterwards spent, as may be instanced in their late scribler Tutchin, and many others, I cannot but think a little more hemp might have been usefully employed on that occasion."

The career of the John Tutchin thus denounced is thus of great importance, for he was the chief author of the "Bloody Assizes," so much quoted by modern writers.

### The "Bloody Assizes" and its Authors.

In the month of January, 1689, Henry Muddiman wrote that he had seen Titus Oates, "very fat and trimme," walking through St. James's Park, on his way to interview William of Orange. Oates, of course, had been illegally released, directly

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<sup>2</sup> The draft newsletters are contained in 14 folio volumes commencing with the year 1667 and ending with 1689. These are now in the library of the Marquess of Bath. The present writer's book, "The King's Journalist," deals with them and relates the story of their writer.

## The Bloody Assizes.

the first Whig Convention summoned by William had met, and was now able to press his claims for reward. Oates then took up his residence in Axe Yard, Westminster (swept away when Parliament Street was constructed), remaining there for several years in order to be near the House of Commons, and the best account of his friends at this time has been left to us by another cheat and impostor, William Fuller,<sup>3</sup> who was Oates's lodger two years later on. These friends of Oates were, first and foremost, John Tutchin, John Arnold of Llanvihangel Crucorney, the priest hunter, member of Parliament for Monmouth in the last three Parliaments of Charles II. as well as in the Convention, and Aaron Smith, the solicitor, of Rye House Plot fame. Arnold was, Lord Ailesbury writes, "a vile fellow," who cut his own throat in 1679, when Oates's plot was failing, in order to give verisimilitude to his tale that he had been set upon by Papists and thus give fresh life to the plot. But we are chiefly concerned with Tutchin, who probably was one of Oates's lodgers, and in any case was continually in and out of Oates's house.

John Tutchin is thought by some writers to have been born in the Isle of Wight. He himself, however, said that his birth-place was in London, and since he was expelled from a school at Stepney for theft, his statement was probably accurate. The year of his birth was 1661, and this fact is corroborated by the entry of his marriage at St. John's, Coleman Street, upon 30th September, 1686, to Elizabeth, daughter of John Hicks, the Nonconformist minister already mentioned. Tutchin's age was stated in the marriage certificate to have been twenty-five. Thus he was twenty-four at the time when he also took part in Monmouth's rebellion. Tutchin was a prolific pamphleteer, but his literature was of a class disdained by bibliographers, so that the only book marked down to him before Monmouth's rebellion is a small volume of exceedingly bad verse, entitled, "The Unfortunate Shepherd: A Pastoral," published early in the year 1685.<sup>4</sup> Thus Axe Yard, Westminster, became the home of a literary coterie of a most remarkable type after the Revolution, and the work proceeding from the pens of these men was issued from the press chiefly by the means of a crack-brained Whig publisher, John Dunton. Nowadays none but the curious ever reads this sort of literature.

When he first made Oates's acquaintance Fuller was urged by Oates and his satellite, Tutchin, to press on with a plot he had invented against William III. "While I was in his (Oates's)

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<sup>3</sup> "The whole life of Mr. William Fuller" (by himself), 1703. Fuller had agreed to pay Oates fifty shillings a week rent. In the end Oates sued him for this rent and for money lent.

<sup>4</sup> The opening lines of this run—

"Our flocks behind yon mountain coolly graze,  
And joyful bleatings echo from the place,  
The teeming ewes to the cool shadows run,  
And the soft lambs avoid the rising sun."



## Tutchin, Fuller, and Oates.

house," wrote Fuller, "he and his friend Tutchin, whom he almost kept, prevailed upon me to let them see a copy of my information to the king. 'Gadzooks!' said the Dr., 'I would not be served so' (*i.e.*, have the plot suppressed). 'You are a fool, Fuller, and a coxcomb. God's life, I could beat you for having no more wit.' Oates then went on to tell his own story of how he had made Charles II. and his peers afraid of him. 'I called them rogues to their faces,' he wound up, 'but you are afraid of them.'"

The result is instructive. Like Oates, Fuller aimed at the lives of innocent men, and, like Oates, succeeded at first in obtaining a Government allowance. But, in the end, he was found out and denounced by the House of Commons, in 1692, as an "impostor, cheat, and false witness." He was then prosecuted, placed in the pillory, fined heavily, and imprisoned until he paid his fine. After this he renewed his friendship with Oates, and, at Tutchin's instigation,<sup>5</sup> published pamphlets with forged evidence to prove that the Prince of Wales (the Old Pretender) was the child of Mary Grey. Fuller says that Dunton "improved" these pamphlets to make them sell. In the end, Fuller died in prison in 1720.

It is of some importance, therefore, to note that Tutchin's work started this mass of post-Revolution literature, for he first set to work long before Oates had been pensioned, to William III.'s eternal disgrace.

The most remarkable result of the censorship of the press (which lasted until the year 1695) was that the publication of seditious and surreptitious pamphlets became a regular trade. An unlicensed tract of the times can be marked down at once by the absence of a printer's or publisher's name, and this absence should at once set a reader on his guard against any pamphlet of the kind. The documents thus secretly printed were sold by hawkers about the streets in lieu of the shops. Hardly a single traitor had been executed since the Restoration without his "dying speech" and prayers, often very blasphemously worded, being fabricated by some one or other. Writers like Burnet (most of whose anonymous pamphlets have not yet been traced) eventually took a hand in the game, and, according to Lord Ailesbury, one pamphlet of Burnet's, contending that William of Orange deserved the crown *by right of conquest*, was ordered by the Whig Convention of 1689 to be burnt by the hangman. But it is to the "dying speeches," &c., that I wish particularly to draw attention, for as a writer of this class of literature Tutchin, after his release from prison in 1686, easily took the lead. The "dying speeches" of several of those condemned for Monmouth's rebellion were published by him on folio half-sheets, and doubtless had a lucrative sale. Conspicuous among them stand the "Speech" of Mrs.

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<sup>5</sup> Rawlinson MSS. (Bodleian) D680, f. 111b.

## The Bloody Assizes.

Lisle, mentioned above, a wholly fictitious speech purporting to have been delivered by Jeffreys at Bristol during the "Bloody Assizes," and the "Humble Petition of the widowed and fatherless in the West of England."<sup>6</sup> I shall return to these documents later on.

Early in 1689, probably in January, either Tutchin or Dunton issued a small tract of 16 pages entitled, "The Protestant Martyrs, or, The Bloody Assizes," &c., written anonymously. The places where Monmouth's followers were executed appear, with no great accuracy, at the end of the tract, as well as the number supposed to have been executed at each place, and this list terminates with the words, "Suffer'd in all 251. Besides those hanged and destroyed in cold blood." Simultaneously, Tutchin issued "The Dying Speeches, letters and prayers of those eminent Protestants who suffered in the West of England," &c., an amplification of the half-sheets already issued by him. This contained 40 pages, and was followed at once by "The second and last Collection of the Dying Speeches, letters and prayers," &c. This contained 30 pages, and bore the words "With Allowance," so that it had been licensed. The three booklets evidently succeeded, for there followed a book entitled, "The Bloody Assizes; or a compleat history of the life of George, Lord Jefferies, &c."<sup>7</sup> This also was marked "With Allowance," and was stated to have been "Printed for J. Dunton and sold by R. Janeway, 1689." Richard Janeway—Roger L'Estrange's "Implement Dick"—was one of the most disloyal of the seditious printers of the times of Charles II. His *Impartial Protestant Mercury*, published in 1681 and 1682, had been the most outrageously untruthful paper printed during the "Popish Plot" years, and he had been repeatedly prosecuted and imprisoned.<sup>8</sup>

Jeffreys was still alive at the time when this book was published, for it is dedicated to him, and the dedication is signed "James Bent." James Bent was in all probability a pseudonym adopted

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<sup>6</sup> At the end of this last half-sheet Dunton announced both the "Second Collection" of dying speeches and the "Bloody Assizes; or Hell broke loose." He must have thought it advisable to drop the latter part of the proposed title.

<sup>7</sup> This was the only edition of which the title commences "The Bloody Assizes." A reprint of this edition was published at Edinburgh by Messrs. Goldsmid in 1890. The first edition to be marked by its number was the third edition. Evidently, therefore, the modern publishers thought that this second edition was a different work from the fifth, and did not realise that it merely represents a stage in the compilation of the final book.

<sup>8</sup> Luttrell's "Brief Relation" for the years 1681 and 1682 is almost entirely based upon Janeway's paper, whole passages being cited verbatim. In 1689 Janeway printed a report of the case of *Pritchard v. Papillon*, tried by Jeffreys in 1683. This untruthful "trial" figures in "State Trials" in a mutilated form (the last four pages being omitted), and forms itself an indictment against Howell's work. Salmon, the first editor of "State Trials," took no notice of this tract.

*The* PROTESTANT Martyrs:

OR, THE

**Bloody Assizes,**

Giving an Account of the *Lives, Tryals, and Dying Speeches*, of all those Eminent *Protestants* that suffered in the *West of England*, by the Sentence of that bloody and cruel Judge *Jessares*; being in all 251 Persons, besides what were Hang'd and distroyed in cold Blood.

CONTAINING ALSO,

The Life and Death of *Jmes Duke of Monmouth*, His Birth and Education; his Actions both at Home and Abroad; his Unfortunate Adventure in the *W'st*, his Letter to King *James*, his Sentence, Execution and Dying-Words, upon the Scaffold. With a true Copy of the Paper he left behind him. And many other curious Remarks worth the Reader's Observation.



LONDON: Printed by J. Bradford, at the Bible in Fetter-Lane

Title Page of the first edition of the "Bloody Assizes"

(From the original in the British Museum)

## Oates's Literary Work.

by Dunton, who wrote an even more scurrilous libel upon Jeffreys in 1701, entitled, "The Merciful Assizes."<sup>9</sup> At the end of this edition of the "Bloody Assizes" is an advertisement stating that it was intended to be bound up with the first and second collections of "Dying Speeches," &c., already published. The total number of those executed was now said to have been "In all 239. Besides those hanged and destroyed in cold blood."

In the meantime Oates himself had been hard at work with his pen, and, beyond any doubt, took a hand in the next stage of the "Bloody Assizes." In the same year, 1689, Oates published the first part of his book, entitled "A Display of Tyranny; or, Remarks upon the illegal and arbitrary proceedings in the Courts of Westminster and Guildhall, London. From the year 1678 to the abdication of the late King James in the year 1688." This book was tantamount to an attempt not only to justify the plot he had invented, but also to condemn his own trial and punishment, as well as the trials of the Bill of Exclusion and Rye House plotters, who had been punished by Jeffreys. Many of these men, particularly the ex-Lord Mayor, Sir Patience Ward, an ex-Sheriff, Pilkington, and Papillon, a would-be Sheriff, were now members of William III.'s first Parliament and were loud in support of Oates's claim to a pension. Nevertheless, so much odium attached to Oates that Dunton thought it best not to acknowledge that he was the publisher of this book. So his imprint ran, "Sold by booksellers in London and Westminster." Oates himself did not acknowledged his work until later on.

Reinforced by the powerful aid of Oates, therefore, Tutchin, as editor-in-chief now (still in 1689) published through Dunton "the third edition, with large additions" of the book, then entitling it, "A New Martyrology; or The Bloody Assizes now exactly methodised into one volume." This was the first time that the number of the edition had been noticed on the title page. But it simply reprinted the whole of Tutchin's tracts already described, and it is needless to add that Oates himself figured amongst the additional "martyrs," so that by this time he must have been granted his pension. Thus, the "Bloody Assizes" in its completed form had three principal writers, Oates, Tutchin, and Dunton. The latter's eulogy of Tutchin, printed a few years later on, in his "Characters of Eminent Persons," merits quotation. Dunton terms him "the loyal and ingenious Tutchin (*alias* Master 'Observator'); the bold assertor of English liberties; the scourge of the High Flyers; the Seamen's advocate; the detector of the Victualling Office [Tutchin had been dismissed from a small post he held in this office for impeaching the honesty of his

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<sup>9</sup> Since the "Merciful Assizes" has been attributed to Tutchin, the statement at the end that the author of the book was also the writer of the "Post-Angel" (a periodical known to have been written by Dunton) settles the question of its authorship. Dunton also says, in his "Life and Errors," that he wrote this book.

## The Bloody Assizes.

superiors]; the scorn and terror of fools and knaves; the Nation's Argus and the Queen's [Anne's] faithful subject. He writes with the air of a gentleman and the sincerity of a Christian."<sup>1</sup>

This book is divided into three parts, the first and second parts, paged together, containing 196 pages, and the last part—the "Impartial History" of the life and death of Jeffreys, in all probability written by Dunton, separately paged, amounting to 49 pages more. The total number of those executed is again put at 239, and the book is now "Printed for John Dunton" only.

In his *Athenian Mercury*, No. 12, for 9th January, 1691-2, Dunton inserted a long advertisement inviting all country gentlemen and others of the West Country to send him any further information about those condemned or any other remarkable information they might have. He added that "the third impression of the book entitled the 'New Martyrology; or, the Bloody Assizes,' had been quite sold out, and that a new impression was 'speedily designed.'" A crop of letters containing tales of doubtful veracity was the result, and, accordingly, the "Fourth Edition, written by Thomas Pitts Gent,"<sup>2</sup> was published, with the same title of "A New Martyrology; or, The Bloody Assizes," &c., by Dunton in 1693, and had now swollen to 533 pages, with the "Impartial History," amounting to 70 pages more. Again the total executed is put at 239. According to Dunton, 6000 copies of this edition were sold. After this Dunton's property was seized by his creditors and he was thrown into prison. This did not prevent the fifth, and last, edition from being published by John Marshall in 1705, and then entitled "The Western Martyrology; or, The Bloody Assizes . . . to which is added . . . the life and trial of Mr. John Tutchin."<sup>3</sup> In this edition, which is that alluded to by Oldmixon and quoted by Macaulay and many lesser modern writers (who all were ignorant of the curious bibliography set out above), the account of the life and trial of Tutchin states that "Thomas Pitts" was the name "borrowed" by him. So it was, for "Thomas Pitts" appears as his name in the judges' lists set out in the Appendix to the present book. But the fact that his name does appear as "Thomas Pitts" in both the Gaol Book and the judges' lists of

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<sup>1</sup> Thanks to Mr. C. N. Greenough, these "Characters" are now well known to be fictitious. See the "Publications" of the Colonial Society of Massachusetts for March, 1912. So many colonists were described by Dunton that American writers have been peculiarly interested in his "Characters."

<sup>2</sup> Dunton, in his "Life and Errors," says that Pitts had been a surgeon in Monmouth's army and was "in part author of the Bloody Assizes." How this can be reconciled with the statement in the fifth edition remains to be shown.

<sup>3</sup> A reprint of this edition was published in 1873 by Messrs. Blackwood, of London.



**John Dunton**

*(From the portrait prefixed to his "Life and Errors")*

## Tutchin's Death.

later date is proof positive that his real name was not known when he was tried. He had hidden his identity in order to conceal the fact that he was also in arms and thus escaped an indictment for high treason. The story he tells about himself is utterly untrue from start to finish.

Before setting out and commenting upon the material portions of this book—that is, the principal portions, not supplied by Oates (which have nothing to do with the Bloody Assizes), the end of Tutchin's career should be recorded. In 1702 he started a paper called the *Observer*, and libelled so many people in it that he was called to account by the House of Commons in 1704, and upon 4th November was tried and found guilty as a "daily inventor and publisher of false novelties and of horrible and false lies and a perpetual disturber of the peace." Nothing was done to him, however, owing to a technical flaw in his indictment, and after a series of quarrels with Fuller and Defoe, the author of "Robinson Crusoe," Tutchin died in the Queen's Bench prison in 1707, a prisoner for debt.

The actual cause of Tutchin's death has been a matter of dispute. Usually he is stated to have died as the result of a thrashing he had received from a gentleman he had libelled in his paper. As a matter of fact, this is far from accurate, and, fortunately, his own statements on the subject can be cited. The "gentleman" libelled was no less a person than Vice-Admiral Sir Thomas Dilks, Sir Cloudesley Shovel's second in command, and the attack upon this gallant officer appeared in Tutchin's *Observer* for 4th-8th January, 1706-7. According to this, "a flag officer" (whose name Tutchin avoided giving), being ashore upon Christmas leave, swore several oaths in the company of a justice of the peace for Portsmouth (no very uncommon occurrence one would think). The justice, a local baker and supplier of bread to the Fleet, one Henry Seuger, evidently had some private grudge against the admiral, for he actually issued out a warrant against him for swearing. When next the admiral met the man in the street he asked his reason for this, and, upon receiving the answer "That he was obliged by his duty as a justice of the peace so to do," he gave the man a thrashing, and remarked, "You dog, I'll teach you to grant a warrant against a flag for swearing."

Tutchin's comments upon this case were very one-sided and betrayed a great deal of animosity to the admiral. He increased this by issuing a special "Postscript" to this number of his *Observer*, containing a very long attack upon Sir Thomas Dilks, in the form of a letter from Seugar. Tutchin's journalistic opponent, Charles Leslie, took the matter up in *The Rehearsal*, and the affair became a public scandal. Immediately after the Christmas holidays Sir Thomas Dilks went on foreign service with Sir Cloudesley Shovel, but so much attention was directed to the matter by the papers that some indignant sailors administered

## The Bloody Assizes.

a wholesome corrective to Tutchin in February. This he chose to represent as an attempt at assassination. "As I was sitting above stairs at a public-house," said Tutchin, "a-writing and waiting for some gentlemen by appointment, there came in upon me six ruffians, and all fell upon me with their sticks and canes. I had nothing to defend myself but my hands, my sword and cane being at the other end of the room, and, had not the man of the house got out of his bed to my assistance, they might have accomplished their design."<sup>4</sup>

Some time after this Tutchin was arrested for debt, and then edited his paper from the Queen's Bench prison. In the last number of the *Observer* edited by him, that for 20th-24th September, 1707, he wrote the following somewhat pathetic passage:—

"I am a prisoner for a small debt that I am not able to pay, and have a barbarous hardhearted Jacobite to deal with, who has purchased that debt and would listen to no terms, tho' I afford him all that I could pay, which was better than 15s. in the pound. He would not hear of it. My ruin is the design of the Faction [that is, the Tories]; and now they have accomplished it. They, and others, perhaps as bad as themselves, tho' they profess better things, sent ruffians to murder me. Ever since I received their blows upon my head, I have been languishing and my head has been imposthumated. Add to this, Roger [the periodical was written in dialogue], an empty purse, a sick heart, a numerous family, and being neglected by my friends that I have served, and you need not wonder that my pulse beats low."

Before this passage was published, upon Tuesday evening, 23rd September, 1707, John Tutchin died.<sup>5</sup>

When a prisoner died in prison in those days a coroner's inquest was always held, and in the case of Tutchin, who had made accusations against the sailors who had thrashed him, a post-mortem examination was doubly necessary. The writer who continued his *Observer* said in the next number (for 27th September to 1st October, 1707), that "upon opening him, the chyrurgeons found his lungs sound, but his kidneys and his head damaged by their (the sailors) blows." The surgeons' report, however, has survived,<sup>6</sup> and it leads to the conclusion (which the

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<sup>4</sup> The *Observer* for 12th-15th February, 1706-7. Compare *The Rehearsal* for 12th March, 1706-7. There is a life of Admiral Dilks (Dilkes) in the Dictionary of National Biography.

<sup>5</sup> Hearne, "Remarks and Collections," ii., p. 53. "Last Tuesday in the evening, John Tutchin, author of the scandalous libel call'd the *Observer*, died in the Queen's Bench prison." So also Luttrell, vi., p. 216.

<sup>6</sup> "An account of what observed at the opening the body of Mr. John Tutchin, on the 25th of September, 1707—

"The cranium being laid bare, we discovered livid spots on ye right side of the os frontis, near its middle, about the bigness of a silver





**John Tutchin**

*(From a print in the British Museum)*

## Post-mortem on Tutchin.

medical men who examined Tutchin seem to have shirked) that Tutchin really died from a specific disease and not from the thrashing undergone seven months before his death. No verdict of murder or manslaughter, therefore, was returned. Nevertheless his friends persisted in asserting to the contrary, and in a manner added him to his "New Martyrology" by having his portrait printed, with the legend, "*Pulchrum est pro patriâ mori.*"

penny [.45 in. in diameter]. In the interval part we found a caries answering thereunto, which had so eroded both tablis that the external remained no thicker than common writing paper. The parts of the thorax (or breast) appear'd as usual in a sound body, except a small adhesion of the lungs on each side.

"In the abdomen (or lower belly) the viscera were all sound except the kidneys, of which the right was affected with several imposthumations and superficial ulcerations, more especially in that part near the back; the left was more considerably imposthumated and ulcerated than the other. We whose names are underwritten, being then present, are ready to attest the truth of this.

James Wasse, Junr	}	Chirurgeons.
Steph Barber		
Wa. Scott		
John Sparke		
Saml Fletcher		
Tho. Grey	}	Apothecaries "
John Cooper		
John Quincy		

(Rawlinson MSS. C402 (2).) "



## SECTION II.

### Taunton and Monmouth.

Taunton, in the seventeenth century, was noted for the manufacture of clothing, and was by far the most important town in the West Country, of which it was considered to be the metropolis. Perkin Warbeck held Taunton for a time when he set up his claim to the throne, and this fact was remembered when "the new Perkin," James Scott, Duke of Monmouth, had himself proclaimed king there. In the days of the Civil War the town underwent a long siege by the King's forces. The siege was raised by Fairfax on 11th May, 1645, and the day was afterwards kept in the town as a public holiday. After the Restoration, of course, there were no public rejoicings for many years, but the town was the head centre of middle-class nonconformity, and thus, after Monmouth had put forward his claims to the throne, the old Puritan elements came to the fore again under the new name of Whigs, and acclaimed him when he made his progress through the West in 1680. Two incidents (hitherto unrecorded) need notice. In 1679 Charles II., unalterably bent upon putting an end to Oates's Popish Plot, and equally determined not to allow the Bill excluding his brother James from the throne to be passed, prorogued the Parliament elected in that year on the first day of its sitting, 11th October, 1679, afterwards continually prolonging the prorogation until 21st October, 1680. Finding themselves thus checked, the Whigs commenced to circulate petitions at the close of 1679 demanding that Parliament should be allowed to sit. Charles II. took counsel with Jeffreys and his judges, and on their advice a Proclamation, drawn up by Lord Chief Justice North and dated 12th December, 1679, was issued, denouncing the petitions as seditious. For a time this put an end to the petitions and stopped the riots by which they were accompanied, but, even before Monmouth's progress in the West in 1680, Taunton took the lead in disobeying the King's Proclamation. There was at the time a prominent leader of the Whigs in Taunton, a goldsmith by trade, named Thomas Dare,<sup>7</sup> and the story told

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<sup>7</sup> He is called "Heywood" Dare by Roberts in his "Life" of Monmouth, a learned and painstaking work not free from mistakes. In Sir Arthur Conan Doyle's "Micah Clarke," Stephen Tymewell, the Mayor, figures as a strong Whig. Of course, he was a determined churchman and loyalist.

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in the newsletters of his proceedings at this time is of some importance, owing to the better known part this turbulent man afterwards played in Monmouth's rebellion.

On the 26th January, 1680, Charles II. went to Westminster, again to renew his prorogation of Parliament, and his way thither was encountered by Dare with a petition from Taunton, "as seasonable as fish after Lent in Italy, for could they imagine that His Majesty had not then well weighed his resolution." Dare broke out into seditious speech when the King refused to receive his petition, and informations having been sent to the Attorney-General on 21st February, Dare was arrested and indicted at the next Taunton Assizes. So much commotion was caused by this incident that the Grand Inquest for Somerset (whose address was printed in the *Gazette*) publicly disowned him and his petition. On 8th April, 1680, Muddiman gave a full account of the trial of "Dare, the Taunton goldsmith, of whose boldness the Brotherhood vaunted, as answerable to his name." He had, Muddiman said, "in promoting the petition declared that notice would be taken, who did and who did not, subscribe the petition, and that there were but two ways, one by petitioning, and the other by rebelling, and at another time said that the petition was but a discriminating test between Protestants and Papists, and that the King's subjects had but two ways, one by petition, the other by Armes. For which seditious words he was indicted and pleaded 'Not guilty.' Upon which the King's Counsel (Jeffreys?) moved for a special jury, which was returned, most of them of Justices of the Peace. And then his stomach came down and he withdrew his plea and confessed. Upon which he had the sentence of a fine of £500 and to be bound 3 years to the good behaviour, and is since turned out from being a capital burgess."

The seed sown by Dare, fanned as it was by Monmouth's progress in the West some months later on, bore fruit in 1683, after Charles II. had terminated the existence of Parliament altogether and the Rye House Plot was in incubation. The secret of Monmouth's temporary success can only be explained by pointing to the persecution of the dissenters that preceded it.

### Persecution of the Dissenters in the West.

On the 10th January, 1681, Parliament was prorogued, in spite of a series of violent resolutions passed by the House of Commons, who knew what was about to happen. And, on the same day, the King in Council ordered a Proclamation to be drawn up dissolving it, and calling another Parliament to sit at Oxford on the 21st of March next. By express command of the King a Bill for repealing the statute of 35 Elizabeth, by which severe

## Persecution of Dissenters.

penalties were imposed upon Protestant dissenters,<sup>8</sup> was not presented to him. To the other Bills presented he gave his consent.

Writing on 14th April, 1681, Muddiman said—

“From several parts of England we have an account of the prosecution of dissenters according to law, which they may thank themselves for, having abused that lenity which was exercised towards them, by an haughtiness and discourse of the Governors and Government.”

In his letters dated from 6th December to 15th December, 1681, Muddiman drew attention at some length to the prosecutions of dissenters. In London alone, he said, eleven ministers were being prosecuted, viz., Dr. Collins, Dr. Owen, Mr. Annesley, Jacomb, Watson, Meade, Ferguson, Calamy, Doolittle, Slater, and Blackly, whose indictments were upon the two statutes of Elizabeth and the Five Miles Act. The penalties altogether amounted to £4840, if not remitted. On the 9th, he stated, “the Mayor of Sandwich was brought before the Council and reprimanded for not putting the laws against the dissenters into execution, and the Mayor of Plymouth has had a letter to mind him of his duty in putting down notorious conventicles there of Anabaptists, Quakers, Presbyterians, these being the places, as Mr. Oates well observed upon oath (!), where the Popish priests exercise and infuse their rebellious doctrines.” The harshness of Muddiman’s language, now and henceforward, is largely explained by his position as official news-writer.

On 29th December, 1681, he said—

“’Tis writ from Salisbury that the Mayor, attended with the officers, went in quest of a Presbyterian meeting (the only conventicle in the place), but by some means or other they had gained notice of the Mayor’s resolution and went off before he could reach them. The Mayor, finding the birds flown, spoiled the nest, caused the pulpit to be pulled down and the benches and stools to be thrown out of doors. This, ’tis thought, has so feared them that they will hardly flock thither again.”

Letters from Bristol dated 31st December said that then no dissenters continued to meet publicly but the Quakers. But this was contradicted on 6th January, 1682. “At Bristol 20 or 30 conventiclers have been imprisoned, and they have taken the names of 5 or 600 more, present at their meetings. Some were so violent

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<sup>8</sup> The statutes of Elizabeth rather than the Five Miles and other Acts of Charles II. were now relied upon in the persecution of the dissenters at the close of the reign. By 35 Elizabeth c. 1 (signed at the Puritans), any one absent from church for a month or hearing a conventicle was to be imprisoned until he conformed, and if he did not conform in three months to abjure the realm. If he did not so abjure he became a felon without benefit of clergy. By a previous statute of 23 Elizabeth c. 1 those not going to church forfeited £20 a month, the penalties being cumulative, and this was found to be the most effectual weapon in dealing with non-conformity, both Protestant and Papist.

## The Bloody Assizes.

as to oppose the officers, for which they were found guilty by the jury of a riot, and will be tried at the Quarter Sessions."

Writing upon 28th January, Muddiman added—

"Every post brings account of the prosecution of dissenters, and more especially of their teachers. Josias Banton was taken exercising at a conventicle in Somersetshire, would not take the oath of Supremacy, and was sent to Ilchester gaol."

On 21st February it was noticed that "thirty-six of the Justices of Devon met at Sessions unanimously signed a paper, requesting the bishop to have it read in the churches, against conventicles, and resolved to be monthly in three divisions. The Grand Jury also signed the paper and thanked the justices."

On 1st July, 1682—"On the 29th of the last Lawrence Collins and four others were fined 20 nobles (£10) each, being convicted of a riot committed by them and divers others at the late going down of the Duke of Monmouth to Chichester, in making a bonfire before the gate of the lord bishop's palace, violently entering there and breaking the windows of his lordship's chapel in the time of divine service, and swearing they would 'break the back of the old Pope, who was then at Mass,' meaning the bishop. The reason of so small a fine was the extreme poverty of the people." Partly as a result of this visit Habin, the conventicle informer, was murdered.

In February, 1683, Monmouth went down again to Chichester and had a great reception.

On 21st April, 1683—"The fanatic party now go down everywhere. At Chester the loyal party had 34 votes to 14 in the choice of an Alderman and 2 councilmen. At Plymouth, the Quakers are kept out of their meeting houses and a Presbyterian one on a weekday discovered. At Taunton, the Mayor broke up a conventicle of near 2000 and took the wife of Mr. Trenchard, a man of note in the last Parliament, which persecuted the abhorrrers."

Writing on "Saturday, 26th May, 1683," Henry Muddiman said—"Mr. Tymewell, Mayor of Taunton, has cleared the town of conventicles, but the taint is not to be taken away but by time and severe purging. How far these people yet want it (though there are many right and sound among them) you may judge by their late actings. It was upon an 11th of May when the late King's Army that lay before the town raised the siege. Rebels as they then were in arms, it could not be expected but that they should rejoice on such occasions. But to this day there are still some who observe it. In order to it, on the 10th, by 10 at night some had got to the bells of St. James's and rang them. These the Mayor stopped, and to prevent further disorder went with his bretheren and two constables about 3 next morning and continued walking the streets most part of the day, all seeming indifferent quiet, though shops were shut and some young fellows observed with orange ribbons in their hats. About 6 in the morning the Mayor having notice of a great company met in the High Street went and commanded them to depart. Most laughed and scoffed, some hollowed

## The Taunton Riot.

and threw up their hats, and the rabble was presently about 1500. The Mayor then made proclamation to depart upon pain of being proceeded against as rioters. Which they refusing he presently seized two, who struck him and his assistants when they carried them off, and 10 others, to prison. The watch was now roused, and having left two to guard the prison went with the rest to disperse the multitude, but the stones flew so thick that they found it advisable to take to the houses and set the whole guard upon the prison. In fine such care was taken that, though they made one bonfire in the High Street, watchmen quickly put it out. Surely they cannot think such insolencies as these can pass unpunished when they not only justify the late rebellion, but fly at the throat of their magistrates whilst they warn them from their disorder. But this is the affair of their conventicles."

At a Privy Council held at Hampton Court on 31st May the Taunton rioters were ordered to be prosecuted.

Within a few months of this prosecution, the Mayor, Stephen Tymewell, made an end of the conventicles in the town. Not satisfied with closing them and seeing that their "teachers" (as the ministers were termed) and frequenters were prosecuted, he dismantled the buildings altogether, tearing down the pulpits, casting out the benches and making bonfires of them.

Writing on 22nd September, 1684, a final account of the dissenters in the West was given. "At Quarter Sessions [at Winchester] 13 dissenters were convicted under the Act of £20 a month, some for three months. And no doubt if the blow be followed they will not be able to rise up again. They tell us from Taunton (which was the nest of these vermin) that there are no more conventicles to be found there. Some there are in the fields, that by placing out scouts have made shift to escape till hitherto, but there are those who look after them, and if they were wanting, the weather, ere long, will hinder their meeting."

Monmouth's descent upon England from Holland in the ship "Helderenburgh" has been so many times described that I have only to recall the more important points of the story, a fuller and substantially accurate narrative of which is given at the end of the "Bloody Assizes."

On 11th June, 1685, he landed at Lyme and published his declaration giving the reasons for his rebellion and the grounds upon which he asked for the people's support. This declaration is an astounding document, even though we bear in mind that it was written by the Independent minister, Robert Ferguson—Ferguson the Plotter—who had been Shaftesbury's right-hand man in the times of the Popish Plot. In it James II. is declared to be an usurper and designated the Duke of York, and the whole course of his life is described as "one continual conspiracy against the reformed religion and the rights of the nation." James, so it said, had caused the Great Fire of London, the murder of Sir Edmund Berrie Godfrey, had suborned witnesses to swear away



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the lives of "patriots" (that is, the men who had conspired in the Rye House Plot against the life of Charles II.), and had contrived the "assassination" of Lord Essex, who committed suicide in the Tower in 1683. Worse than all, went on this amazing document, James had authorised the practice of idolatry, had invaded the property of Englishmen by levying taxes without authority, had packed juries, placed men on the bench who were a scandal to the law, and had granted illegal charters, &c. Language of abuse could only add one additional charge, and it was added—James had poisoned his own brother, Charles II. Modestly enough, Monmouth was then made to wind up that he himself—he the bastard of Lucy Walter, *alias* Barlow, did not insist upon his own title to the Crown—that he would leave to the wisdom, to the justice, and to the authority of Parliament. But he was resolved to pursue the King as a mortal and bloody enemy, and to endeavour to have justice executed upon him.

There could be no hope for those who supported so monstrous a pronouncement as this. The country gentry, Whigs and Tories alike, stood aloof from Monmouth. On 16th June Monmouth was attainted by Parliament.

Nevertheless, almost 6000 of the middle and lower classes of the West Country folk rallied to his side, and upon 18th June he entered disloyal Taunton. On the 20th he went so far as to have himself proclaimed King in Taunton market-place, and thus departed from the declared intention to wait for the decision of Parliament about his pretended rights to the throne.

Monmouth received a great reception in the town, and his hopes must have been at their highest pitch. "The inhabitants presented him with a stand of colours richly embroidered; twenty young maidens, in their gayest attire, came in procession to offer him a naked sword and a pocket Bible, and the Duke assured them in return that his chief object was to defend the truths preserved in that sacred book, and to seal them, if necessary, with his blood."

"Nor did he delay to exercise his new powers. He touched children for the evil, declared the Duke of Albemarle, who lay with a body of militia at a short distance, a traitor, pronounced the two Houses of Parliament, unless they should disperse within ten days, traitors, ordered the customs and excise to be levied for his service, and set a price on the head of the usurper of the Crown, James Duke of York." His own Christian name being James, his followers could not very well term him James II., and so, appropriately enough, they called the new Perkin "King Monmouth."

Dare, of course, had lost no time in joining Monmouth, and, just at this juncture, his turbulent and quarrelsome disposition was the cause of the most serious setback Monmouth received.

Amongst those who had accompanied Monmouth from Holland, a Scotsman, Fletcher of Saltoun, was numbered. Fletcher was a

## Monmouth's Rebellion.

brave soldier and was intended to command Monmouth's horse in company with Ford, Lord Grey. Monmouth's army was in great need of horses, and, on Fletcher's advice, scouts had been sent out in all directions to bring them in. It afterwards transpired that in this service Dare had visited the wealthiest gentleman in the West Country, Edmund Prideaux, whose splendid old country seat, Ford Abbey, still exists. This is the Edmund Prideaux mentioned by Kennett, whose case (to which I shall recur again) has never yet been accurately described. Prideaux sent a number of horses, amongst which was a racer, a fine grey, which Dare reserved for himself. When the horses arrived at Monmouth's camp Fletcher inspected them and selected the grey for his own use. Instead of recognising Fletcher as his superior officer and acquiescing in his decision, Dare thereupon broke out into open abuse and threatened, or, as some say, struck Fletcher with his stick. Fletcher's hot blood boiled over at this insult, and drawing out a pistol he shot Dare dead upon the spot.

Dare's local influence was so great that the incident could not be passed over, for his friends clamoured for the trial and execution of Fletcher, who was a stranger to them. In the end Monmouth compromised the matter by dismissing Fletcher from his service and placing him upon a ship leaving England. Thus Monmouth lost a good leader, and the double-faced traitor—the disreputable Ford, Lord Grey—was placed in sole command of the horse.

### Monmouth as the Man in the Iron Mask.

Monmouth met with final defeat on the 5th July at Sedgemoor, near Weston Zoyland, Somerset. On 15th July he was beheaded. It is an extraordinary testimony to his popularity that even then utterly undeserved romance attached to his fate. The country folk in many parts of England, mindful of the many times not only Charles II., but his brother James, had forgiven Monmouth, steadfastly refused to believe that he had been beheaded. Whig newslietter writers encouraged the delusion in the hope of a fresh rising, until the judges were ordered to take notice of the reports in circulation, and prosecutions for spreading false news were set on foot. Writing on 23rd March, 1686, Muddiman said—

“’Tis advised from these several assizes that the respective judges have in their charges taken particular notice of the ill consequences of the many false and seditious newsletters spread abroad in the countries, prohibiting upon severe penalties, that any coffee-house, or other public-house should in future entertain any of them. And, indeed, it was high time, for those sort of people, willing to gratify all their guests, took in any sort of adulterate trash which might relish with their debauched palates, and having enough here in Town to furnish them, intoxicated too often the common

## The Bloody Assizes.

people with false notions and scandalous reflexions, and by such means poisoned them with principles of faction and sedition. And that there is nothing so madly extravagant which some or other will not have the boldness to assert needs nothing more of proof than that there have been lately indicted at the Assizes at York, who have endeavoured to maintain (I cannot say believed) that the late rebel Duke of Monmouth was yet alive. The poison is daily discovered and the matter itself so gross that I cannot think any man can swallow it. Yet such perverse foolies there are, and they are by the jury found guilty."

The false reports were not ended by one or two prosecutions, and Muddiman chronicled others, at some length, upon 29th March and 13th April, 1686. These seditious newsletters, of course, were also sent abroad, and account for many of the falsehoods retailed in Burnet's "History," for he was in Holland at the time. The most extraordinary result of these reports was that for a century or more it was believed in France that Monmouth was the Man in the Iron Mask. As late as 1768 a distinguished French scholar and litterateur, M. de Saint Foix,<sup>9</sup> published a pamphlet at Amsterdam, proving that the "Man in the Iron Mask" was none other than Monmouth. The story told by him was to the effect that Charles II., on his deathbed, had made his brother James swear, in the presence of Father Hudleston—the priest who received the King into the Catholic Church—that whatever attempts Monmouth might make after his death, James would never take his life. Accordingly, Monmouth was sent over to France in August, 1685, and some one else was executed in his stead. De Saint Foix corroborated this tale by the evidence of a number of persons who knew Father Hudleston. But perhaps the one fact which most deserved notice was that the people of Provence were in the habit, at the time when the Man in the Iron Mask was a prisoner in the Ile Marguérite, of calling him "Macmouth," and this de Saint Foix, and probably others, thought was a corruption of Monmouth. The portrait of Monmouth, taken after his execution, is in itself a sufficient refutation of all these tales.

### Colonel Kirke.

In conjunction with Jeffreys, Percy Kirke, Colonel of the Tangier regiment, which, up to 1685, was stationed at Pendennis, has been the subject of a number of frightful stories. But as regards Percy Kirke, at any rate, historians of all schools agree

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<sup>9</sup> "Lettre de M. de Saint Foix. Au sujet de l'homme au Masque de Fer," p. 35.

Germain François Poullain de Saint Foix, soldier, dramatist and essayist, was born at Rennes in 1698 and died at Paris in 1776. He was a very quarrelsome man, who could not bear to have his opinions disputed, but his literary work has been highly praised.



**Monmouth after Execution**

*(From the painting in the National Portrait Gallery)*

## Colonel Kirke.

in thinking that these stories have little or no foundation in fact, so that nothing is gained by repeating them. Some consideration of the history of the Kirke family would also have brought the conviction that quite another Colonel than Colonel Percy was intended at first to be libelled by Tutchin and his friends. Percy Kirke's father, George Kirke, gentleman of the robes to Charles I. and to Charles II., was also housekeeper at Whitehall up to the time of his death in 1675. George Kirke's eldest son, Charles, who was under-housekeeper and Major (later on Colonel) of Monmouth's old regiment, succeeded him as housekeeper, Colonel Charles Kirke's son, Philip, nephew of Colonel Percy, at the same time receiving his father's former post of under-housekeeper.<sup>1</sup> When Colonel Charles Kirke died in September, 1687, his son, Colonel Philip, the under-housekeeper, succeeded him in his place as housekeeper, according to Henry Muddiman's newsletter. All three Colonels Kirke—Colonel Charles, and his Lieut.-Colonel and son Philip, as well as Colonel Percy—were engaged at Sedgemoor. The suspicion is justified, therefore, that one or other of the two Colonels nearer to the King's person than Colonel Percy was in the first instance attacked. Memoirists and writers of a later date have helped on the legends by mentioning "Colonel Kirke," without specifying, and probably without knowing, which of the three Colonels they meant. At any rate, Colonel Percy was both promoted and trusted by William III., so that it is improbable that he was the brute of the legends. Most of these legends have quite a simple origin. For instance, it is said that when Colonel Percy Kirke marched into Taunton a few days after Sedgemoor, bringing the wounded and prisoners, he hanged nineteen of the rebels at once. The foundation in fact for this is that nineteen rebels convicted at the Assizes were executed at Taunton on 30th September, more than a month after Colonel Percy Kirke had been recalled to London. Some rebels, caught pillaging the houses of loyalists, were undoubtedly hanged by Colonel Percy out of hand, and it cannot be said that they did not deserve their fate, but the only names that the most diligent research has succeeded in discovering are those of nine men hanged by him at Taunton in July, 1685.<sup>2</sup>

Colonel Percy Kirke wrote to Lord Sunderland, Secretary of State, from Taunton on 12th August, 1685, as follows:—

"My Lord,—I received this enclosed from the messengers yor Lodsp sent hither to take Jones. I had advice last Sunday of some rebels that had gott off by the sea side 20 miles from this place and the parson of that parish has some reason to believe Ferguson

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<sup>1</sup> See *Calendars of State Papers, 1660-1681, passim*. A list of James II.'s army, dated 30th June, 1686, is printed in the "*Antiquarian Repertory*" (1807), i., pp. 229-232. From this it appears that "Colonel Kirke's regiment" was that commanded by Charles Kirke, and not the Tangier regiment.

<sup>2</sup> See Savage's notes to Toulmin's "*History of Taunton*," containing extracts from the parish burial registers.

## The Bloody Assizes.

among them. I sent a party of dragoons thither but have no account yet. Lt. Withers that commanded at Bridgewater has taken several prisoners in the Moors, Sunday last he took 13 and a Capt. his name is Godfrey. Mr lord Cornbours (?) troop of dragoons marched yesterday to Wells from hence."<sup>3</sup>

Writing to Colonel Kirke from Whitehall on 21st July, Lord Sunderland said—

"Upon receipt of yours of the 18th of this month from Taunton, I acquainted his Majesty with the substance of it, who is very well satisfied with your proceedings, and would have you secure as well such of the rebels as are already in custody as these which shall hereafter be apprehended, in order to their tryall at the next assizes for that county."<sup>4</sup>

The newsletters mention no execution by Colonel Kirke, and it is evident from Sunderland's letter that Kirke's duty at Taunton was to round up the rebels still at large. Early in August, 1685, Colonel Percy Kirke was recalled to London, and so Kennett's assertion that he commanded the soldiers escorting the Assize judges is as unfounded as the other and contradictory legend (narrated below) that Jeffreys himself received military rank for this circuit, in order that he might command the troops sent with the judges for their protection.

### Lord Jeffreys' Western Circuit.

When considering the criminal trials of the seventeenth and eighteenth centuries, the extreme severity of the penalties inflicted at once attracts the reader's attention. Death was the usual punishment for thefts of property over two shillings in value, and, for at least a dozen crimes, women were still burnt alive, one of these, of course, being high treason; in which case the obscene penalty inflicted upon men could not very well be carried out. Every month saw a dismal procession of men and women on the road from Newgate to Tyburn, where they were to be hanged in public. But ever since the American and West Indian Colonies had been founded the practice had grown up of sentencing to transportation a number of those who would otherwise have suffered death. Labour was much needed in the West Indies, and ordinary "servants" for the Colonies bound themselves over by indentures specifying their term of service and its conditions. For those who were transported the West Indian Colonies had special statutes, fixing their period of servitude at five years. When these poor

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<sup>3</sup> Original letter amongst the Domestic State Papers of James II., vol. i. I have been unable to find any authority for the assertion that Sunderland wrote to Kirke, expressing the King's disapproval of his severity.

<sup>4</sup> *Ibid.*, vol. ii. (Sunderland's Letter Book). There are no other letters to or from Kirke amongst the State Papers.



**Lord Jeffreys of Wem, Lord Chief Justice of England**  
*(From an engraving in the British Museum)*

## The Western Circuit.

people reached Barbados or Jamaica (the usual places of transportation), they were put up to auction and sold to the highest bidder. For the period of their servitude, these unfortunate beings had no rights, received no wages, could own no property, were beaten and flogged, and if they survived their term were dismissed with the equivalent of a trifling sum, which, in the case of Barbados, amounted to 500 pounds of sugar (about £5 in value). And not only was this compensation liable to be reduced by fines for disobeying their masters, but even their term of servitude could be increased. For the time, therefore, their lot was worse than that of the black "servants," for it was to the interest of the masters to exercise greater humanity with the blacks whose period of servitude was for life.<sup>5</sup> The white transportees, therefore, were usually termed "slaves," in common with the blacks. Most of the printed Sessions Papers for the last year of Charles II. have survived, and prove that the proportion of those transported was greater than might be supposed. In May, 1684, at the Sessions of the Old Bailey, five were sentenced to death, seven were burnt in the hand (pleading their "clergy"), two were transported, and two whipped. In July nine were sentenced to death, three burnt in the hand, four "begg'd transportation and had it granted," and nine were whipped. Charles II. was easily induced to pardon prisoners, and so, at this Sessions, "between 50 and 60 persons formerly condemned were pardoned." In September of the same year four were transported, in October one, and in December five.

We have to bear in mind that in the case of the Monmouth rebels the vast majority could only be indicted for high treason as rebels taken in arms. Transportation, therefore, was a mitigation of the extreme penalty of drawing, hanging, and quartering.

A Commission of Oyer and Terminer and General Gaol Delivery, dated 8th July, 1685, was issued to Lord Jeffreys, Lord Chief Justice; Sir William Montague, Lord Chief Baron; Sir Cresswell Levinz, of the Common Pleas; Sir Francis Withens, of the King's Bench; and Sir Robert Wright, of the Exchequer. Five judges, therefore, were deemed necessary, and the decisions of their head were the decisions of them all.

So many judges were necessary, partly because no Summer Assizes had been held, by reason of the disturbed state of the west of England, and therefore the general gaol delivery list was heavy, and to a greater extent because the presentments of the grand juries were so numerous that more judges than two would be needed to investigate the charges and matters laid before them. Grand juries are not of great importance nowadays, and it has even been suggested that they should be abolished, but in the seventeenth century they were of great influence, and their

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<sup>5</sup> See the present writer's article, signed "Historian," in "Notes and Queries," 13 Ser. vol. i., pp. 185-188, on "The Laws regulating the status of white slaves under the Rump and Cromwell."



## The Bloody Assizes.

presentments and recommendations to the judges were of very great importance and political significance. The chief business of the grand juries of Dorset, Devon, and Somerset at these Assizes was to present to the judges the names of more than 2611 suspected persons in these counties, amongst whom the rebels to be tried were included.<sup>6</sup> It appears that an order had been issued to the constables of the hundreds within the area of the rebellion, requiring them to return the names of all persons absent from their homes at the time of the insurrection, and of those who, for any other reason, were suspected of having joined in it, and the bulk of the list compiled by them still exists. In the cases of Taunton, Lyme, and Bridgewater the occupations of those presented are given. This list is irrespective of Somerset rebels presented, tried, or sentenced at Wells, the actual numbers in it being—

Presented at Taunton, -	-	-	-	1811
Presented at Exeter, -	-	-	-	488
Presented at Dorchester, -	-	-	-	312
Total, - - - - -				2611

As the occupations are of some importance in view of the assertions made that Monmouth's followers were only "clowns," "ploughmen," and the like, a list of the occupations of 273 of the 275 men presented from the parish of St. Mary Magdalen, Taunton, is of interest—

Worsted combers, ...	43	Combmakers, ..	3
Weavers, ...	42	Brewers, ...	3
Combers, ...	21	Smiths, ...	3
Fullers, ...	17	Barbers, ..	3
Tailors, ...	10	Goldsmiths, ...	2
Sergemakers, ...	8	Porters, ...	2
Shoemakers, ...	6	Labourers, ...	2
Masons and bricklayers, ..	5	Mercers, ...	2
Carpenters, ...	4	Locksmiths, ...	2
Husbandmen, ...	4	Innholders, ...	2

In addition, there were one each of the following occupations:—Serge-weaver, silk-weaver, cordwinder, cobbler, joiner, upholsterer, yeoman, glazier, cutler, haberdasher, saddler, merchant ("mercator"), soaper, maltster, blacksmith, brazier, tinman, tobacco cutter, apothecary, gentleman, tanner, feltmaker, butcher, dyer, currier, baker, and glover.

Before they set out on their circuit the judges met in consultation at Lord Jeffreys' chambers on 20th August, and then

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<sup>6</sup> The List of Presentments is British Museum Add. MSS. 30,077. See the valuable paper by Mr. W. B. Barrett in the "Proceedings" of the Dorset Natural History and Antiquarian Field Club, vol. v., pp. 99-135.

## Mrs. Alice Lisle.

decided to accept an invitation they had received from Dr. Peter Mews, the bishop of Winchester, who had lent his carriage horses to drag the King's cannon at Sedgemoor. Accordingly they all went to stay with the bishop at Farnham on 24th August. On the 25th they opened their commission at Winchester, and were occupied with the general gaol delivery until Thursday, the 27th. On Saturday, 29th August, Henry Muddiman wrote—

"They write from Winchester, date 26, that the judges were then there only to give a general gaol delivery. The lady Lisle, so-called by courtesy to the rebellion [of 1641] her husband, who was one of the late kings [Charles I.'s] judges, and a Commissioner of the great seal to Oliver, having been 'lordered' by him, was brought thither by *habeas corpus* from Salisbury, but was not to be tried till the morrow, so must wait till next post for an account." (There were then only three general posts a week.)

On 1st September the result of Mrs. Lisle's trial was given—

"At the gaol delivery at Winchester many were convicted for several sorts of crimes. On the 27th Mrs. Lisle was brought upon her trial about 5 in the afternoon. The evidence was full against her, that she aided, maintained, &c., Hicks [Tutchin's father-in-law] knowing him to be a rebel and actually in arms. The trial lasted long, so that it was about 11 that night when the jury brought her in guilty of High Treason. On the 28th the Lord Jefferies, Lord Chief Justice, went into Court and passed sentence upon her and the rest of the malefactors."

Apart from the brief notice of the result of this trial in that week's *London Gazette*, the above passage was the only official account of Mrs. Lisle's trial. Tutchin and Dunton, of course, printed a coloured version in the "Bloody Assizes," four years later on, and this is the "public print" alluded to by Roger Coke, but apart from this no report whatever of the trial was known until the year 1719, when the first edition of "State Trials" printed the report known to us nowadays and said it was "publish'd from the original manuscript." Who the compiler of the belated report was the then editor of "State Trials," Thomas Salmon, did not say, but the date at which it appeared—thirty-nine years after the event—and the fact that both the judge who tried Mrs. Lisle, Jeffreys, and the prosecuting counsel, Pollexfen, had long been dead, so that it could have been subjected to no revision, demands careful consideration. Moreover, the report implicitly contradicts the historians of the time. Kennett asserts that Mrs. Lisle was thrice brought in not guilty, Burnet twice, and the latter adds that the jury only yielded in the end to Jeffreys' threat of an attainder of jury. There is no hint, either

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<sup>7</sup> See the present writer's articles in "Notes and Queries," clv., 111 and 149, on "State Trials and Robert Blaney." The third of these deals with the trial of Mrs. Lisle.

## The Bloody Assizes.

of an attempt to acquit Mrs. Lisle or of any threat by Jeffreys, in the report printed in 1719. It seems probable, therefore, that the accounts of Kennett and the others were taken either from the "Bloody Assizes" or from the Whig newsletters so bitterly denounced by Muddiman, and that the report of 1719 was compiled by some one from notes taken by one of the junior counsel in the case. Much of it is probably fiction, but it was at least based on facts. The whole question is one of very great importance, for, if this report is not to be trusted, half the modern case against Lord Chief Justice Jeffreys falls to the ground.<sup>8</sup>

It is nowadays agreed that the condemnation of Mrs. Lisle for concealing Hicks was right. The late Mr. Inderwick, Q.C., expressed the opinion that the same result would follow in our own times, though, of course, the penalty would be far lighter. Lord Jeffreys reprieved Mrs. Lisle until the following Wednesday, the 2nd September, in order that she might appeal to the King for a mitigation of her sentence—the only one he himself could pronounce—to be burnt alive. Jeffreys, therefore, was no enemy of Mrs. Lisle. Mrs. Lisle did petition the King, but the document has not survived,<sup>9</sup> so that we do not really know the terms of her petition. James II. was inexorable, but he "mitigated the sentence of burning her alive to the severing her head from her body." Accordingly, "On the 2nd (the day to which the Lord Chief Justice had reprieved her) about 4 in the afternoon, Mrs. Lisle was beheaded at Winchester. They give not anything of remarks upon the scaffold but that she was old and dozy and died without much concern."

This passage will explain how it came about that when Tutchin published Mrs. Lisle's "dying speech" it took the form of a paper asserted to have been handed by her to the Sheriff. This was first printed separately as a folio half-sheet, then incorporated

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<sup>8</sup> The importance of this case can only be appreciated by reading the lengthy comments on this case of the late Mr. Inderwick, Q.C., in his "Side-lights on the Stuarts," and Sir James Fitz-James Stephen in his "History of the Criminal Law," vol. i., p. 412 *et seq.* Stephen makes the following comment on the evidence of the principal witness, Dunne, "at whom he [Jeffreys] repeatedly swore and railed," adding, in a footnote, "Why, you impudent rascal," "But, you blockhead," "Why, thou vile wretch," "Jesus, God," &c., &c. Stephen adds, "The whole passage deserves consideration on many grounds." Indeed it does, for it is just such a passage as a Whig desirous of calumniating both Jeffreys and the witness, and of giving an impression that the trial was unfair would have written. Jeffreys did not use language like this from the bench, and it is a pity that Inderwick and Stephen did not know the above facts. It seems probable that the report of the trial was compiled by Robert Blaney, and that Blaney took the opportunity of adding the abusive language attributed to Jeffreys.

<sup>9</sup> The petitions of the reign of James II. (a very meagre list) are all contained in vol. v. of the Domestic State Papers. Most of these State Papers were made away with at the Revolution. The petition set out in "State Trials" seems to be a fabrication.

## Dorchester Assizes.

into Tutchin's "Collections" of "dying speeches," and so appears in the three last editions of his "Bloody Assizes." Had Mrs. Lisle really given a paper to the Sheriff, some notice of the fact would have been taken in the newsletters.

On Thursday, 3rd September, the judges proceeded from Winchester to Salisbury, where no rebels were tried for life. But "one Palmer presented a bill of indictment against a drummer in his Majesty's service, for plundering his house; when it was proved, in open court, by three witnesses, that Palmer himself was in arms in Monmouth's army. Upon which he was sent to Taunton for his tryall." Four men named Palmer were convicted at Taunton and sentenced to be transported (see List 3 in Appendix A). Six men were then tried for seditious words, and Stephen Moore, who "said that he would never go to church till Monmouth was King," was sent to church at once. Only his journey thither took the form of being "whipped from the end of the town to his parish church, and a second time from the farthestmost part of the City to the Cathedral" (see List 4 in Appendix A).

On Saturday, 5th September, the real business of the Assizes commenced at Dorchester. Twelve men sent down from Newgate pleaded guilty on that day, as also did 56 others from Dorchester gaol. But 30 pleaded "not guilty," and were tried, one, William Saunders, being acquitted. Sentence passed upon those 29 convicted before the rising of the Court, and orders were given to the Sheriff for their execution on the 7th (Monday).

In his newsletter dated Thursday, 10th September, however, Muddiman said that the judges had revoked this order, and that "it was thought fit that only 13 should be executed on the 7th, namely, Benjamin Gray, Thomas Smith, Henry Ford, John Game, Samuel Hillyard, Matthew Bragg, Joseph Speed, George Seward, John Foane, *alias* Fawne, Philip Levermore, Robert Pinney, John Wells, and Thomas Welsh, all inconsiderable fellows except Bragg, who pretended to the Law and probably was the man that put them upon that plea." The reason why thirteen only instead of the full number of twenty-nine were executed was probably because the executioner, Ketch, had protested that it was not possible for himself and his assistant, Pascha Rose (a butcher), to carry out twenty-nine "quarterings" in one day.

On the evening of the 5th Lord Jeffreys wrote to Lord Sunderland as follows:—

"I most heartily rejoyce (my dearest dearest lord) to heare of your safe returne to Windsor. I this day began with the tryall of the rebells at Dorchester and have dispatched 98 but am at this tyme soe tortured with the stone that I must beg your lordships intercession with his Majestie for the incoherence of what I have adventured to give his Majestie the trouble of," &c. (Post-script)—"I heartily beseech your lordship to tender my most

## The Bloody Assizes.

humble duty and thankfulness to his Majestie for his most gracious thoughts of me.”<sup>1</sup>

Thus, Jeffreys wrote to the King to give him an account of what had taken place in Court.

Continuing his letter of 10th September, Muddiman went on to add that “On (Monday) the 7th in the morning, 103 more of the rebels were arraigned who all pleaded guilty but 2, who were acquitted. One Holyday was tried, for having conducted Ford, late Lord Grey, but having confessed the fact, was only ordered to be whipped that afternoon through the town of Dorchester and the next market day through the town of Shaftesbury.” Again, “on the 8th, 69 more were arraigned at Dorchester, who all pleaded guilty. On the 9th, there were 8 more convicted, 8 who brought in their certificates upon the King’s Proclamation, which were allowed (see List 6 in Appendix A) and 9 others disallowed.” (In all, 26 had certificates allowed at Dorchester.) Twenty more were to be tried upon the next day, Thursday, 10th September, upon which day all were to be sentenced.

Thus it is perfectly clear that the prisoners, as might have been expected, pleaded “guilty” *en masse*. The prosecuting counsel was Henry Pollexfen, a great Whig, who had often been ranged on the opposite side to Jeffreys when they were both at the bar. Sir Robert Sawyer, the King’s Attorney-General, Lord Ailesbury says, “was, by his place, overwhelmed by the business of the Crown, and he had leave given him to secure a deputy for this Commission.” So he sent down Henry Pollexfen, an “ill-natured, surly, but great lawyer,” in his stead. Pollexfen, Lord Ailesbury goes on, “had a tool, or substitute, he employed to examine the poor and most of them illiterate prisoners. His name was Loder, Deputy clerk of the Assizes for the Western circuit, and whom I knew well to be a very rascal. This fellow, by Mr. Pollexfen’s orders, went into the prisons and made the poor people believe they had nothing to save their lives but by pleading guilty, on which each strove who should be the first.”<sup>2</sup> Thus the blame cast upon Jeffreys by Kennett is unfounded. It was Pollexfen, the Whig, appointed a judge by William III., and not Jeffreys, who took the lead in proclaiming to the prisoners that they would only prejudice their own fate by pleading not guilty.

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<sup>1</sup> Original letter in the State Papers of James II., vol. i. Had the King intimated to Jeffreys, through Sunderland, that the Chancellorship would be bestowed upon him? Lord Guilford, the then Lord Keeper, was known to be dying, and as a matter of fact actually died on this day, the 5th, and the last paragraph set out above seems to hint that some intimation of the kind had already reached Jeffreys.

<sup>2</sup> There are so many inaccuracies in Ailesbury’s Memoirs that it should be pointed out that this passage is to a great extent corroborated by the Quaker, John Whiting, in his “Persecution Exposed.” Whiting adds that the blame was afterwards laid upon the King and Jeffreys—that is, by Kennett and other writers. Another witness is Henry Pitman, whose narrative is quoted below.

## Exeter Assizes.

In his newsletter dated 15th September Muddiman summed up the result of the Assizes at Dorchester as follows:—

“ Of the 13 who were executed at Dorchester on the 7th, their heads and quarters were hanged up on poles there. The rest, who received sentence on the 10th, were ordered to be executed in other the most remarkable places in the county. Of those who pleaded guilty 251 received sentence of death, of whom 62 (sic, 61) are to be executed. Lyme being the place where they first landed will see the end of 12 of the most considerable of them, viz., Abraham Holmes, Josiah Askew, Will. Hewling, John Hayes, John Kid, John Marders, Sampson Larke, Christopher Battiscombe, Leonard Jackson, Henry Watts, Benjamin Temple (Monmouth's surgeon) and Robert Matchell.” The others were to be disposed of thus. At Bridport 10 were to be executed on the 12th of September; at Weymouth and Melcombe Regis 12, on 15th September. At Sherbourne 12 were to be executed, also on 15th September (this and other dates were probably postponed); at Poole 11, on the 21st;<sup>3</sup> and at Wareham 5, on the 22nd of September. There is a slight mistake in this, and it is in the Sherborne list, where 11 only were executed and not 12. Perhaps one more was pardoned.<sup>4</sup> Five days, therefore, had been spent in the trials at Dorchester.

On Saturday, 12th September, the judges arrived at Exeter, read their commission on that day and opened the Assizes on the following Monday, the 14th. Twenty-one rebels were tried; all but two, named Foweracres and Hobbs, pleaded guilty. The two were tried at once, convicted, and ordered to be executed at once, Foweracres at Exeter and Hobbs at Churton. Their executions took place upon the same day, or, at the latest, the next day, the 15th. The newsletter concludes—“ The Calendar was signed for ten more to be executed in that county. Several persons upon the gaol

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<sup>3</sup> Allen Scutt, the Mayor of Poole, signed the following warrant, dated 22nd September, 1685, and directed to the “cunstable or tything man” of Upper Lichett—“I doe hereby will and require you to take unto your care and custody the quarters of the severall persons this day executed within this towne and county and herewith sent you by Charles Barfoot of Sturminster Marshall, husbandman, and to affix them on poles or spykes in the most notable places in Upper Lichett and hereof fayle you not at your perills” (Sir Frederick Treves, “Highways and Byways in Dorset,” p. 132).

<sup>4</sup> Elizabeth Mallet, the publisher of the Sessions Papers, also printed two lists of those condemned at Dorchester. There are some bad mistakes in these lists, and their chief value lies in the corroboration of the places of execution, the dates of which are not given. The first list was entitled, “An Account of the proceedings against the rebels at Dorchester . . . on Friday (sic) and Saturday the 4th and 5th of this instant September.” Licensed by R. L. S. (i.e., Roger L'Estrange) on 8th September. The second was—“A Further account of the proceedings against the rebels . . . who on the 10th of Sept. to the number of 251 received sentence of death at Dorchester,” &c. Licensed by R. L. S. on 11th September.

## The Bloody Assizes.

delivery received sentence of death for murder, burglary, and other felonies."<sup>5</sup> This Assize, therefore, lasted only one day.

We now come to the most important record of all, that of Taunton. At Taunton, Muddiman states, "On the 18th (Friday) there were indicted 385, who all pleaded guilty, except three, John (sic, Simon) Hamlin, William Cooper and Joseph Coper." On the 19th "were arraigned 120 rebels more, who all pleaded guilty except three or four."

Then follows a summary of the results:—

"On the 19th" (Saturday) "above 500 received the sentence of death at Taunton, who all pleaded guilty. Those who pleaded not guilty and put themselves upon their country were tried, found guilty, and ordered to be executed on the 21st. There were only three executed at Taunton, Hamlin, William Cooper and William Gatchell." Two days only had been spent at Taunton.

Thus, throughout the Assizes, it is abundantly evident that the proceedings were very formal and very solemn and awful. There could have been no dialogue between Jeffreys and the prisoners as Burnet falsely asserts, simply because the judges had no option but to give a formal sentence of death. There were and could be no "scenes" of any sort in brief sittings of this kind.

At Taunton, Muddiman goes on to relate, "one John Parry, after condemnation, made an escape out of prison, but bethinking himself, went back to the guards at the prison door. They told him he should not go in. He pressed still to go in. They told him he should not, for that one had made his escape already. He replied, 'If ye have lost but one, I am the man.' Upon which he was entertained again." Parry's case is a curious one, for he evidently was assured of a pardon, which as a matter of fact was granted to him under the Privy Seal in the following December. His name occurs in none of the lists in the Appendices.

Lord Jeffreys wrote to the King from Taunton on 19th September, and again we note the care he took that James should know the details of all that happened. He seems to have written to the King by every post, and this becomes of great importance in assessing the blame for the severity displayed. He said—

"I most humbly beseech your Majesty to give me leave to lay hold of this opportunity by my lord Churchill, to give your Majesty an account that I have this day finished what was necessary for your Majestys service in this place, and beg leave that your Majesty may be graciously pleased to let me refer to the lord Churchill for the particulars, for I have not yet perfected my papers so as to be able to do it so exactly as my duty to your

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<sup>5</sup> Twelve rebels in all and no more suffered death. A very inaccurate account, signed "T. S." was published by Elizabeth Mallet and licensed by L'Estrange on 25th September, T. S.'s letter itself being dated 15th September. His list includes the names of 14, two of whom are shown in the judges' lists to have been reprieved, viz., Timothy Dunkin and John Goslin. See List 6 in Appendix A.

## Jeffreys Writes to the King.

Majestys service requires. I received your Majestys commands by my lord Sunderland about the rebels your Majesty designs for transportation, but I beseech your Majesty that I may inform you that each prisoner will be worth £10 if not £15 a piece and that if your Majesty orders them as you have already designed, persons that have not suffered in your service will run away with the booty and I am sure that your Majesty will be continually perplexed with petitions for recompense for sufferers as well as rewards for servants. Sir, I hope your Majesty will pardon this presumption. I know it is my duty to obey, I have only respited doing anything until I know your Royal pleasure is they should have the men, for, upon my allegiance to you, Sir, I shall never trim in my obedience to your commands in all things. Sir, had not your Majesty been pleased to declare your gracious intentions to them that served you in the soldiery and also to the many distressed families ruined by this late rebellion, I durst not have presumed to give your Majesty this trouble. Sir, I will when I have the honour to kiss your Majesty's hands humbly acquaint you with all matters your Majesty hath been graciously pleased to entrust me with, and doubt not, Sir, but to be able to propose a way how to gratify all such as your Majesty shall be pleased to think deserving of it, without touching your Exchequer. I most humbly throw myself at your Royal feet for your pardon for this presumption, which I was emboldened to by your Majestys most gracious acceptance of my mean services. Sir, I beg leave to enclose some papers of the confessions and behaviour of those that were executed since my last. I purpose for Bristol on Monday [the 21st] and thence to Wells and shall not dare to trouble your Majesty any further, except it be to beseech your Royal pardon for all the mistakes, and crave leave humbly and heartily to assure your Majesty I had rather die than I might omit any opportunity wherein I might approve myself,

Royal Sir,

Your Majestys most dutiful  
and obedient subject and servant  
JEFFREYS.

Wade reserves himself  
till he attends your  
Majesty. I have ordered  
him hence on Monday.”<sup>6</sup>

The newsletters then go on to tell us that “Lord Jeffries and Baron Wright dined on the 21st at Bristol and gave the charge. At Bristol no rebels were tried and only one criminal executed, upon the general gaol delivery.” But something very sensational happened at Bristol, and Tutchin made the most of it. Bristol had long had an evil reputation for its kidnappers, or “spirits,”

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<sup>6</sup> Original letter in the Domestic State Papers of James II., vol. i.



## The Bloody Assizes.

who seized men, women, or children (preferably the last), and shipped them to the West Indies, where they were put up to auction as unindentured "servants."<sup>7</sup> As Jeffreys pointed out in his letter to the King from Taunton, these "servants" were worth £10 to £15 each (about £60 to £100 in modern values), hence the inducement to the shippers. Now that it had become known that large numbers of the convicted rebels would be sent abroad, the "spirits" were redoubling their activities, so that in March, 1686, James II. found it necessary to re-issue a proclamation of 1682 against the "spirits." When he found that the Mayor of Bristol himself was one of these kidnappers, Jeffreys naturally sent him to prison, and has himself left us an account of the incident.

Writing from Bristol on 22nd September to Lord Sunderland, Lord Jeffreys said that this "most factious city" was "worse than Taunton, but, my good lord, though harassed with this days fatigue and now mortified with a fit of the stone, I must beg leave to acquaint your lordship that I this day committed Mr. Mayor of this city, Sir William Hayman, and some of his bretheren, the Aldermen, for kidnappers and have sent my tipstaff for others equally concerned in that villainy."

Jeffreys went on to ask that the King should not be surprised into a pardon for any man, "though he pretend much to loyalty," till he himself had the honour of kissing hands. "Taunton and Bristol and the County of Somerset too," he wound up, "shall know their duty both to God and their King before I leave them. I purpose to-morrow for Wells, and in a few days don't despair to perfect the work I was sent about."

For the particulars of Taunton he referred to Lord Churchill's relation, "who was upon the place." As regards those to be transported he would obey the King's commands, "though the messengers seem to me too impetuous for a hasty compliance."<sup>8</sup>

Tutchin profited by this incident to produce a folio half-sheet professing to be Jeffreys' speech at the Bristol Assizes, later on incorporating it in his other books. Writers who should have known better have actually treated this satire as a genuine report, and have cited it in full in their books.<sup>9</sup>

The newsletters then give the account of the last day's sittings on the Western Circuit. This took place at Wells, upon Wednesday, 23rd September, when 541 pleaded guilty and "one Will Mangell, who was Matthews's servant, pleaded not guilty, was tried in the morning and executed in the afternoon." The Assizes, therefore, ended on this day, one day having been spent at Wells, and only nine days in all, at all the sittings. On the 28th Lord Jeffreys

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<sup>7</sup> There is a very full record of the activities of the "spirits" in London in J. C. Jeaffreson's "Middlesex County Records."

<sup>8</sup> Original letter in the Domestic State Papers of James II., vol. i.

<sup>9</sup> Particularly Roberts, in his otherwise valuable life of Monmouth.

## The Exact Number Executed.

was back in London, and received the Great Seal as Chancellor from the hands of the King, Lord Guilford having died on the 5th, as has already been pointed out.

We can now state with precision the exact number of executions that took place during the Assizes and up to the date of Michaelmas, 1685. At Winchester, one, Mrs. Lisle, was executed on 2nd September. In Dorset 74 had been executed at or about the dates specified above. In Devon two had been executed, and in Somerset four only, three at Taunton, and one at Wells. Eighty-one people in all had been put to death, and, by the time when the Assizes ended, Dorset must have been converted into a shambles. This was a very serious result, and thoroughly justifies the title of "Bloody Assizes," but there is one redeeming feature to be pointed out. In no case had the full penalty for high treason been carried out. All those quartered were hanged till they were dead before the last part of their dreadful sentence was completed. No writer, not even Tutchin, suggests the contrary.

The corroboration of the story told above lies in the final official record, drawn up by the judges, and sent in to the Treasury upon 12th November, 1685. This book, or series of lists of names of those tried by them, is not dated, and was made out in order to enable the Treasury to realise the forfeited estates of those convicted.<sup>1</sup> It will be found rearranged and with the names in each list in alphabetical order in Appendix A to the present book.

The main divisions of the judges' list comprise (1) a list of those "executed" at the date of the compilation of the list—that is to say, 1 at Winchester, 74 in Dorset, and 12 in Devon; (2) lists of those condemned at Taunton (139) and Wells (94) and "to be executed." These last include the three men already executed at Taunton and the one man at Wells. Thus the first list contains 87 names in all and the second list 233 names, Macaulay's 320 in all. Lists of those to be transported with the names of the persons to whom they had been given follow, as well as other lists proving that here we have a complete record of every rebel tried on the Western Circuit.

The authority of such an official document, the original of which is in the Record Office, cannot be gainsaid, and the sole question remaining to be discussed is, What became of the 233 men sentenced to death at Taunton and Wells? As we have seen, four of them had already been executed. But the clerks who compiled the judges' lists did not know whether all would be executed, and thus describe them as "to be" executed.

The reason for this is a very simple one. Lord Jeffreys did not sign his warrant to the Sheriff for the Somerset executions

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<sup>1</sup> Published in 1923 in vol. viii. (four volumes) of Dr. W. A. Shaw's "Calendar of the Treasury Books, 1685-1689." As the judges compiled them, these lists are unworkable without the aid of the indices constructed by the present writer and printed in Appendix A.

## The Bloody Assizes.

until three days after the circuit had ended. Clearly he must have referred the list to the King. We have no certain knowledge on this point, for no letters on the subject other than those set out above have survived, but it is quite possible that he may have urged greater clemency in dealing with the Somerset men, now that the guiltiest rebels had been punished in Dorset.

### The Aftermath of the Western Circuit.

On the 26th September, 1685, Lord Jeffreys at last signed a warrant, addressed to the Sheriff of Somerset, Edward Hobbes, for the execution of 239 (not 233) rebels condemned at Taunton and Wells. The names of those to be executed were set out in the schedule attached to this warrant and arranged under the places in which the sentence was to be carried out. This warrant and schedule will be found in Appendix B, but, unfortunately, the originals of the copies reproduced do not seem to have survived, so that probably some misreadings of the names may be found in them.<sup>2</sup> The dates upon which the executions were to take place were left to the Sheriff to fix, and he was also given some discretion about the exhibition of the heads and quarters of the condemned men. Had this warrant been carried out in full, and had every man named in it been executed, it would be an easy matter, now that we know the exact number executed in Dorset and Devon, to state the total number of executions, but, as a matter of fact, the total number actually executed in Somerset fell far short of 239, as the judges' lists prove. Soon after the warrant was signed the judges themselves reprieved or recommended the King to pardon seven of the men named in the schedule to this warrant. In addition to Roger Hoar, mentioned by Oldmixon, John Dorchester, sen., ordered to be executed at Shepton Mallet; Wm. Plumley, at Wells; Joseph Bellamy, at Bridgwater; Hugh Roper (or Rooper), at the same place; John Broome, at Glastonbury; and Samuel Garnish, at Castle Cary, were reprieved. Sixteen more cannot be traced in the judges' lists, and probably died in prison or were pardoned before these lists were sent to the Treasury.

But, in any case, the Sheriff of Somerset set to work with the nineteen men ordered to be executed at Taunton, for these suffered on Wednesday, 30th September, 1685, exactly a week after the Assizes had ended. In the cases of eight of these men

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<sup>2</sup> Sir James Mackintosh's papers at the British Museum contain a copy of a copy of this warrant (Add. MSS., 34, 516, ff. 21-24), but the original copy was obviously so tattered and defective that it has been found necessary to complete and compare it with Salmon's copy of the schedule. The warrant is also set out in "Somerset and Dorset Notes and Queries," vol. v., p. 313, from which the copy appears to have been sent to Wm. Lacey, of Hartrow.

## Executions Continued.

the Sheriff allowed their bodies to be buried.<sup>3</sup> After all, the heads and quarters of the other eleven must have provided the town and its neighbourhood with a sufficient number of ghastly trophies. On the next day, 1st October, three more were executed at Wellington.

It has been said, and the story is still being repeated at the present day,<sup>4</sup> that the loyal Lord Stawell, whose house was at Cothelstone, where Richard Bovett and Thomas Blackmore were ordered to be executed, had "protested to Jeffreys against his devilish cruelty," and that in revenge for this Jeffreys ordered the men to be hanged on the great gateway at the entrance to the avenue leading to his house. No evidence in support of this tale has ever been produced, and its foundation in fact probably lies in the selection of the great gateway by the Sheriff in order to save himself the expense of a gallows. The story is on a par with the other tale, recounted by Roger North, to the effect that his brother, Lord Guilford, rose from his sickbed to protest to the King against Jeffreys' cruelty. As Lord Guilford died on 5th September, and the first execution—that of Mrs. Lisle, for which the King was responsible—did not take place until 2nd September, none others following until 7th September, the tale is clearly absurd. Lord Guilford died at his country seat at Wroxton, Oxfordshire, and could not possibly have visited the King. He may have pleaded for mercy to the rebels before the Assizes, but not during them.

Sir Charles Lyttleton wrote from Taunton on the 7th October that 18 rebels had been executed there, but probably made a mistake about the number. He added that, as the executions still went on daily in other parts of the county, the country looked, as one passed, like a shambles, owing to the quarters displayed in every direction. He wound up, "Those who suffered here were so far from deserving any pity, at least most of them, and those of the best families (unless, to speak more charitably, it be most grievous)

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<sup>3</sup> See Savage's extracts from the parish burials registers in his edition of Toulmin's "History of Taunton." See also Elizabeth Mallet's "An account of nineteen rebels that were executed at Taunton Dean . . . on Wed. the 30th Sept.," &c. This was licensed on 5th October, and was the last but one of the printed accounts published. Evidently, therefore, there was great ignorance about the ultimate fate of those to be executed in Somerset, and this is proved by the fact that six months later on Elizabeth Mallet printed "A list of the names of the rebels that were executed at Lyme, Bridport, &c., &c., together with the names of those that were respited till further orders. Gathered out of several papers formerly printed." The papers formerly printed were the four already cited. This broadside was licensed by R. P. (Robert Pococke) on 1st April, 1686, and is quite useless, for it added nothing but a list of those respited to the four papers printed in the previous year. But the fact that over 200 could be described as "respited" is an indication that Jeffreys had reserved the decision of their fate to the King.

<sup>4</sup> *E.g.*, in Mr. Hutton's "Highways and Byways in Somerset," p. 334.

## The Bloody Assizes.

that they showed no show of repentance, as if they died in an ill cause, but justified their treason and gloried in it.”<sup>5</sup>

Writing on 1st October, Henry Muddiman gave his correspondents an estimate of those executed and to be executed. This, doubtless, was derived from the Secretary of State—

“The prisoners who received sentence at Taunton are thus to be disposed of. Of those in the Castle, to be transported 144, to be executed 68, and to be pardoned 11. Of those in Taunton Bridewell, to be transported 56, to be executed 54, to be pardoned 7. Of those in the gaol at Taunton, to be transported 45, to be executed 20, and pardoned 3. Of those brought from Ilchester to Wells, to be transported 150, to be executed 44, to be pardoned 10. Of those brought from Bridgwater to Wells, to be transported 33, to be executed 12, to be pardoned 2. Of those prisoners in Wells, to be transported 187, executed 35, and pardoned 12. Of those condemned in Wells the most remarkable is Speake,<sup>6</sup> who is to be executed at Ilminster, and Hicks, the non-con parson [for concealing whom Mrs. Lisle was beheaded], who is to be executed at Glastonbury. The whole number of those condemned and ordered to be executed in the several places of the West is 304 and 800 to be transported.”

The difference between these last figures and the judges' lists is not great, but (as the date proves) the estimate was not final. In a later letter, dated 13th October, Muddiman gave a reason for our uncertainty about the actual number executed—

“On the 9th were ordered to be executed near Bristol [Ratcliffe Hill] six of the rebels condemned at Wells, but the chief of them, one Evans, a non-con parson, taken in arms, having by a rope made his escape out of the cloisters and another (Christopher Clerk?) being dead of the smallpox and two more of them sick of it the execution is put off.” Evans was recaptured at the end of the following January and then executed, but we are left with the problem unsolved of whether the other four men did or did not die from smallpox. The execution of all six, nevertheless, was faithfully chronicled in the “Bloody Assizes.”

After this the attentions of the hangman appear to have been diverted to the ten men yet to be executed in Devon, for Thomas Northmore, assistant Deputy Sheriff of Devon, writing on 1st October, said—

“I ridd to Wells purposely to save you (the Sheriff?) what

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<sup>5</sup> Hatton correspondence, ii., 60.

<sup>6</sup> John Speke, son of George Speke, of White Lackington, had been M.P. for Ilchester. His brother Hugh, according to the Dictionary of National Biography, was “one of the most egregious liars and traitors of the times,” and his sister Mary, wife of Thomas Jennings, was presented from Curry Rivel “for letting out horses for Scott” (i.e., Monmouth). She was the only woman presented to the judges, and probably made her escape abroad with the rest of the family, all of whom were excepted by name from the King's General Pardon of 10th March, 1686. See Appendix C.

## Executions in Devon.

I could of the extraordinary charge of whipping and executing the prisoners, wherein I got some mitigation. However the charge will be very great. The quarters of the rebels are to be sent to the towns hereunder written. . . . The under sheriff is this day gone to Colliton to execute two prisoners that were to be executed there and on Saturday (the 6th) a Crediton (man) is to be executed there; it had already been done had we known how to dispose of his quarters and there was no day assigned in the Calendar or the warrant for his execution. All the other executions will be done with all speed. . . . Places where quarters and heads of rebels are to be sent are Honiton, Axminster, Colliton, Ottery, Crediton, Bideford, Barnestaple, Torrington, Tiverton, Plymouth, Dartmouth, and Totness." No town in Devon, therefore, was exempt from a dreadful exhibit of the kind.

Writing again upon 12th October, Northmore said—

"On Saturday next (the 14th) at Axminster is the last execution to be done and one more then at Honiton unless reprieved. . . . Three were executed at Honiton Saturday last (the 7th)."

There was great delay, therefore, in carrying out the rest of the Somerset executions, and in the meantime a kindlier executioner than Ketch stepped in and anticipated the hangman. Smallpox was raging in the gaols of Somerset and Dorset with a fury of which we in these days of vaccination have little conception. In Dorchester gaol, where Tutchin was imprisoned, eighteen out of forty prisoners died from this disease during the period from November, 1685, to February, 1686. Amongst them was Mary Blake, "Captain of the Taunton virgins," who had presented Monmouth with a Bible. She was buried at All Saints, Dorchester, on 25th November, 1685.<sup>7</sup> John Whiting, the Quaker,<sup>8</sup> imprisoned in Ilchester gaol, says that it was rife amongst the rebel prisoners in that gaol in the autumn, and as fresh parties of rebels were rounded up long after the month of September and imprisoned for future trial, the overcrowded state of the gaols increased the spread of the disease.

Whilst Whiting was in prison at Ilchester he tells us that the execution of the rebels took place, though he does not specify the date. "There were eight executed," says he, "quartered, and their bowels burnt on the market place before our prison window"—a spectacle he naturally took steps to avoid seeing. But Jeffreys' warrant ordered *twelve* men to be executed at Ilchester, not *eight*. Did the other four die from the smallpox in the gaol?

Once more Lord Jeffreys ordered six men to be executed at Bath. The execution was delayed until 18th November, on which

<sup>7</sup> Hist. MSS. Commns., 5th Report, Appendix, p. 373.

<sup>8</sup> Paper by the Rev. S. E. V. Filleul in the Proceedings of the Dorset Natural History and Antiquarian Field Club, vol. 25, p. 140 *et seq.*

<sup>9</sup> In his book, "Persecution exposed."

## The Bloody Assizes.

day four only were executed. It is impossible not to conclude that, owing to the delay, two had succumbed to smallpox.

The Sheriff's own warrant for the execution at Bath has survived, and is so minute in its repulsive details that it seems desirable to set it out in order to show what a horrible thing an execution for high treason was in the times of our ancestors—

"Somersetshire. Edward Hobbes Esquire, sherrie of ye countie aforesaid to the Consbles and other his Maties officers of the cittie and burrough of Bath, greeting.

"Whereas I have recd a warrant under the hand and seale of the Right Honble the Lord Jeffreys, for the executing of severall rebels within yor said cittie. These are therefore to will and require you immediately on sight hereof to erect a gallows in the most public place of yor said cittie to hang the said traytors on, and that you provide halters to hang them with, a sufficient number of faggots to burne the bowels of fower traytors and a furnace or cauldron to boyle their heads and quarters, and salt to boyle therewith, halfe a bushell to each traytor, and tarr to tarr ym with and a sufficient number of spears and poles to fix and place their heads and quarters, and that you warne the owners of fower oxen to bee ready with a dray or wayne and the said fower oxen at the time hereafter mencioned for execution, and yourselves togeather with a guard of fortie able men att the least, to be present on Wednesday morning next [18th Nov.] by eight of the clock, to be aiding and assisting to me, or my deputie, to see the said rebells executed. Given under my seal of office this 16th day of November Ao Io Jacobi Secundi 1685.

"EDW. HOBBS. Vic.

"You are also to provide an axe and a cleaver for the quartering of the said rebells."<sup>1</sup>

Last of all, writing on 8th December, Muddiman said—

"Of the rebells condemned in the West, there have been lately executed, three at Minehead, two at Dunster, two at Porlock and two at Dulverton and their quarters disposed upon gates, bridges and crossways. Which is but a seasonable admonition, since some of them of late have taken the boldness to creep out of their holes and commit acts of violence and rapine upon the country."

But on referring to Jeffreys' warrant we find that six men were to have been executed at Minehead, not three, three at both Dunster and Dulverton, not two in each case. Once more we must suspect that smallpox had already taken its quota.

And there can be no doubt that the long-drawn-out agony of constant executions for high treason (a kind of execution which hardly ever took place outside London) was far from having a pacifying effect upon Somerset. The country was revolted by the butchery going on, and rebels at large, when captured, were

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<sup>1</sup> Collinson's "Somerset" (1791), Introduction, xlvii.

## Total of Somerset Executions.

helped to escape, in order that they might avoid the fate in store for them. The Privy Council Register for 8th January, 1685-6, speaks eloquently on this subject, for it says that—

“Whereas severall of the rebells that were seized in the West of England, to the number of about three score, some time since did make their escape out of Ilchester gaol, to which they committed in order to their tryal, by the neglect of those that had charge of them, since which time twenty-three of them being again apprehended, His Majesty is informed have been again suffered to escape. To the end the truth of the matter of fact and who the persons are that are criminal therein may be known, His Majesty in Council was this day pleased to order that the Right Hon. Sir Edward Herbert, Lord Chief Justice of His Majesty's Court of King's Bench doe informe himself of the justices of the Peace near that place, or by such other ways as his lordship shall think fit concerning the same and to report the state thereof to his Maty at this board with all convenient speed.” The result of these inquiries does not appear.

The exact number of rebels executed in virtue of Jeffreys' warrant of 26th September, therefore, can only be estimated, and it seems reasonable, in view of all the facts detailed above, to assume that about one-third of the 239 ordered by him to be executed were either pardoned or died from smallpox. And in that case the grand total of all executed in Dorset, Devon, and Somerset would amount to very nearly the total given in the first and fifth editions of the “Bloody Assizes,” that is, 251. However untruthful that book may be, we may at least expect that its writers had first-hand information about the *total* number executed, though they had no accurate information about all the places or the dates of execution. How otherwise does it happen that in a book crowded with systematic exaggerations the total should be put at so moderate a figure as 251? That there was no certainty about the number is proved by the other editions putting the total at 239—the exact number of those ordered to be executed by the warrant of 26th September.

At the end of the year 1685 the West Country presented a dismal spectacle. It had been converted into a vast anatomical museum. At every gate, bridge, and crossroad hung the head or a quarter of a neighbour, friend, or relative of the passers-by. People feared to quit their dwellings at night. As the winter passed and warmer weather came, these mangled remains of humanity festered in the winds and polluted the atmosphere. According to Lord Lonsdale, Bishop Ken “writ a most patheticall letter” to the King complaining about this nuisance. When James II. made his progress through the West in the autumn of 1686, he was so disgusted by all this that he gave orders that the heads and quarters should be taken down and buried.

The total number of prisoners ordered to be transported in



## The Bloody Assizes.

the judges' lists is 847. But here again it is clear that heavy deductions must be made. Many escaped on the way to the port of embarkation, and do not seem to have been recaptured. In October Sir Philip Howard wrote to William Blathwayt, Secretary to the Lords of Trade and Plantations, that, "Of the two hundred given" to him by the King, three escaped from the gaol at Sherborne, while thirty more escaped before reaching port. Of those that came to Weymouth one hundred were immediately embarked for Jamaica. Of the remaining sixty-seven, many were sick and some were brought by cart to Weymouth.<sup>2</sup>

James II. sent a circular letter to the Governors of the various Colonies ordering a special statute to be passed by the local Houses of Assembly fixing the period of servitude for which the rebels were to be sold at ten years in lieu of five. On 9th January, 1690, William III. pardoned all, and, in spite of protests from the Colonies, refused to consent to the augmentation of the term of servitude. In 1690, therefore, all who could were enabled to return to England.

### Pitman's Story.

Two curious narratives have been left us by the transported rebels. In 1689 (the book was licensed on 13th June) Henry Pitman, "Chyrurgion to the late Duke of Monmouth," published "A Relation of his great sufferings and strange adventures." His little book is commendably free from bitterness and is most interesting. He was, he says, staying with some relatives at Sandford, Somerset, and, hearing of Monmouth's landing at Lyme, went to Taunton to see whether his following was as great as was reported. After having satisfied his curiosity, he was prevented from returning home by the fear of being intercepted by Lord Oxford's troop of horse, and so was prevailed upon by his friends in Monmouth's army to stay and take care of the sick and wounded, dressing their wounds at night and marching with the army by day, until the final rout at Sedgemoor. Captured on his way home after this and committed to Ilchester gaol, where he remained until the Assizes at Wells, Pitman proceeds to give a valuable account of the manner in which the prisoners were induced to confess in gaol. "Certain persons," he states, were sent to the prisons, "who called us" (the prisoners) "forth one after another, and told us 'That the King was very gracious and merciful, and would cause none to be executed but such as had been officers, or otherwise Capital offenders; and, therefore, if we would render our-

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<sup>2</sup> Calendar of Colonial State Papers. America and the West Indies, 1685-1688, pp. 109, 110. There are many lists of the prisoners in this Calendar, but the names of those who escaped on their way to the port of embarkation only appear in Sir Philip Howard's list, in which they are marked by an asterisk.

## Pitman's Story.

selves fit objects of the King's Grace and Favour, our only way was to give them an account where we went into the Duke's army, and in what capacity we served him, &c., otherwise we must expect no mercy or favour from the King, who would certainly punish all such wilful and obstinate offenders.' By which means they drew us into an acknowledgment of our guilt, *and our examinations and confessions were written and sent to the King, before the Lord Chief Justice came to try us.*"

Hence it is perfectly clear, as Lord Ailesbury states, that the initiative in the steps taken to induce the prisoners to plead guilty was not taken by Jeffreys. The King was to blame.

Pitman proceeds—

"So that he (Jeffreys) knew beforehand our particular crimes *and likewise received orders from the King* (as 'tis supposed) *who and what number to execute.* But seeing our former confessions were sufficient only to find the Bill against us by the Grand Jury and not to prove us Guilty (the Petty jury being obliged to give their verdict according to the evidence in Court), the Lord Chief Justice, fearing lest we should deny what we formerly confest, and by that means put them to the trouble of proving it against us, caused about twenty-eight persons at the Assizes of Dorchester to be chosen from among the rest, against whom he knew he could procure evidence, and brought them first to their tryal, who pleaded 'Not Guilty,' but evidence being produced they were immediately condemned and a warrant signed for their execution the same afternoon."

This last mistake probably represents the story told to the prisoners in Ilchester. He continues—

"The sudden execution of these men so affrighted the rest, that we all, except three or four, pleaded guilty to our indictments, but not without large promises of the King's Grace and Favour; for the Lord Chief Justice told us that if we would acknowledge our crimes by pleading guilty to our indictment, the King, who was almost all mercy, would be as ready to forgive us, as we were to rebel against him: yea, as ready to pardon us as we would be to ask it of him."

Jeffreys was sincere in making these promises. We do not know what correspondence passed between the King and himself at this time, but the fact that Jeffreys delayed the signature of the warrant for the executions in Somerset until 26th September indicates that he did nothing without reference to James. It is difficult to resist the conclusion that James, and James alone, was to blame for the severity displayed. Pitman concludes—

"And now was that common saying verified 'Confess and be hanged,' for notwithstanding his large promises of grace and favour, we were all condemned to be drawn, hanged and quartered and by his order there was 230 executed, besides a great number hanged immediately after the fight. The rest of us was ordered

## The Bloody Assizes.

to be transported to the Caribbee Islands, and in order thereunto my brother and I, with near 100 more, was given to Jeremiah (Jerome) Nepho (the Queen's secretary), and by him sold to George Penne, a needy papist<sup>3</sup> that wanted money to pay for our transportation and therefore was very importunate with my relations to purchase mine and my brothers freedom, which my relations were at first unwilling to do, having no assurance of performing articles at such a distance, and therefore we thought it best to defer it until we came to Barbadoes, or otherwise to agree to pay him as soon as they should receive an account of our being set free. But this not satisfying him, having present occasion of money, he threatened that if they would not pay him now, he would give orders to his brother-in-law in Barbadoes that our freedom should not be sold us after we came there, but that he should treat us with more rigour and severity than others. With these threats in the one hand and promises of particular favour on the other, he at length prevailed with our relations to give him three score pounds upon condition that we should be free when we came to Barbadoes, only owning some person whom we should think fit to nominate as a titular master. And in case that these, with other conditions was not performed, the said George Penne was bound with his brother John Penne in a bond of £120 to pay the three score pounds back again.<sup>4</sup> And thus we may see the buying and selling of free men into slavery, was beginning to be renewed among Christians, as if that Heathenish custom had been a necessary dependance on arbitrary power. And, in order to our transportation, we were removed to Weymouth and shipt aboard a vessel that belonged to London, which, in a few days set sail for Barbadoes, where we arrived in about five weeks time, but had a very sickly passage, insomuch that nine of my companions were buried in the sea."

Pitman then proceeds to set out the text of the Act dated 4th January, 1685-6, and passed by the Governor, Edward Steed, and the Barbados House of Assembly, in obedience to the King's instructions. This prolonged the period of servitude of the transported rebels from five to ten years.

The rest of Pitman's narrative is in some sort comparable to the adventures of Robinson Crusoe, which it anticipated in date. He commences the story of his escape by telling his readers how George Penne's directions were not carried out and he fell into the hands of a bad master, who thrashed him and put him into the stocks. But Pitman's relations contrived to supply him

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<sup>3</sup> Macaulay's attempt to identify William Penn, the great Quaker, with this Penne is well known, and is refuted by this passage as well as by the Calendar of Colonial State Papers, in which there are several references to George Penne. Macaulay, of course, was quite unaware of Pitman's pamphlet.

<sup>4</sup> This transaction would not have held good in law.

## Pitman's Escape.

with money, so that after about fifteen months' slavery he and two others—Thomas Austin and John Whicker—managed to purchase a boat through a poor resident on the island, one John Nuthall. This at once aroused the suspicion of the magistrates, Nuthall was closely questioned and very nearly betrayed Pitman and the others, but averted danger by sinking the boat, of course in such a manner that it could be raised again. Then they provisioned themselves for a voyage, hiding their stores in a friend's house near the shore. The list of these stores is interesting. They consisted of "A hundredweight of bread, a convenient quantity of cheese, a cask of water, some few bottles of Canary, Madeira wine and beer. These for the support of nature, and then for use, a compass, quadrant, chart, half-hour glass, half-minute glass, Log and line, large tarpaulin, a hatchet, hammer, saw and nails, some spare boards, a lanthorn and candles." Then, in the midst of festivities caused by a visit of the Governor of Mevis (Nevis?) to the island, the vessel was raised, the provisions placed on board, and after several false alarms six convicted rebels, namely, Pitman, John Whicker, Pater Bagwell, William Woodcock, John Cooke, and Jeremiah Atkins, set sail, together with the free man who had bought the boat, Nuthall, and another man called Thomas Waker. Their destination was "Quirisao, a Dutch island" 200 leagues away. A diary of this voyage in a leaky boat, commencing 10th May (presumably in the year 1687) follows. On 16th May, off the island of "Saltados," they encountered some privateers (or, as we should term them, pirates), who had lost their vessel and were living on an adjacent island. These men were kind to them at first, but prevented their leaving them by burning their boat. The island, of which Pitman, who was very observant, gives a full description, was called by the Spaniards "Tortuga, from the great plenty of turtle that resorts thither, but our English gives it the name of Saltitudos, because there is such great quantity of salt yearly brought from there." It was about 120 leagues from Barbados. Pitman's description of the habits of the turtles and of the methods employed to catch them, as well as of the animals on this island, must have excited great interest amongst the zoologists of his time. Pitman was eventually taken off as ship's doctor by another privateer's ship that visited the island, and after many adventures reached New York in safety, where he got a passage in a vessel bound to Amsterdam. This vessel landed him at Cowes, in the Isle of Wight, and then his troubles came to an end.

Whicker added to this book an account of his own adventures after Pitman left his companions, and the whole most interesting little volume concluded, according to the custom of the times, with an advertisement of the medicines prepared and sold by Pitman "at the sign of the Ship in St. Paul's Churchyard."

Very different from Pitman's manly and honest little book

## The Bloody Assizes.

is the narrative of another man, John Coad,<sup>5</sup> sentenced to death at Wells. He was a deserter from the militia to Monmouth, and for this alone he merited death. To him Jeffreys was "a lion's whelp," "a bloody Nero," and those of his own side were the special friends of Divine Providence. According to his own account, he succeeded in substituting himself for another man—"Jo. Haker"—in whose place he went to Jamaica. Oddly enough, it was Lord Stawell who caught and committed Coad for trial. Coad has no adventures to relate, and his narrative is of very little interest. He was freed in the end by William the Third's refusal to ratify the statute providing for ten years' servitude. His book reads like a sermon, so full of texts is it.

### Edmund Prideaux.

The case of Edmund Prideaux, of which Kennett's account has already been quoted, has long needed examination, for it has been the foundation of serious charges against Lord Jeffreys. Prideaux had long been obnoxious to the Government for his support of Monmouth, and as far back as 1680 had given the latter a splendid reception at Ford Abbey, when he was making his first progress as the legitimate heir to the Crown. Charles II. was intensely annoyed by proceedings to which all the Whig gentry flocked, and on a later occasion had Monmouth arrested at Chester and brought back to London.

It is not surprising, therefore, to find that Prideaux was sent to the Tower on 19th June, 1685, as a 'precautionary measure, eight days after Monmouth had landed. At that time, however, nothing could be proved against him, and thus, on the 14th July, the day before Monmouth's execution, he was set at liberty.

At the Assizes at Dorchester evidence against Prideaux was forthcoming. Malachy Mallack, of Axminster, clothier, was sentenced to death upon 10th September, and was ordered to be executed at Bridport on the 12th. To save his life, Mallack turned King's evidence against Prideaux, and then the whole story of Prideaux's activities in support of Monmouth's rebellion came out. Mallack had been at Ford Abbey when Prideaux was hesitating whether to join Monmouth or not, and Dare arrived in search of horses. With the horses Prideaux sent Monmouth £500, and promised him £1000 (Dare was Monmouth's paymaster). On 13th September, three days after Mallack had been sentenced, Prideaux

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<sup>5</sup> "A memorandum of the wonderful providences of God to a poor unworthy creature during the time of the Duke of Monmouth's Rebellion and to the Revolution in 1688." (First printed in 1849.)

## Prideaux's Case.

was again arrested, this time upon grave charges, for which there was now no doubt that evidence would be forthcoming.<sup>6</sup>

Jeffreys then evidently referred the matter to the King, the case being such an important one, owing to Prideaux's social position in the West Country. Instead of ordering Jeffreys to try Prideaux, and either to inflict a heavy fine upon him or to hang him, James "gave him" to Jeffreys. He was "giving" the whole of the transported rebels to the persons named in the judges' lists (among whom the Queen was included), and it probably seemed to him to be the best reward he could offer the Chief Justice. Thus, there could be no pardon for Prideaux unless he could compound with Jeffreys for his life. Prideaux then made terms with Jeffreys, and paid the large sum of £14,500 for his pardon.

Malachy Mallack was rewarded by a pardon under the Great Seal, dated 15th October, 1685, and Prideaux (who had not been indicted) received a pardon under the Privy Seal in March, 1686, when he had made his terms with Jeffreys. The whole transaction was indefensible in modern eyes, but, apart from the large sum paid by Prideaux as a penalty, there was nothing unusual about it. When the matter was discussed in the Whig Convention of 1689, and a bill introduced for the refunding out of Jeffreys' estate of the sum paid by Prideaux, the bill was defeated and proceedings stopped by the exertions of Pollexfen, who knew all the facts of the matter and was one of Jeffreys' executors.

All the idle tales about Jeffreys (and Kirke, too, who was not there) selling pardons to all who could pay for them can be referred to this one case. No historian has any right to repeat "mob gossip," as Camden terms it, unless he is at least able to furnish a name or a date so that the story in question may be traced and investigated.

## The Taunton Maidens.

The fate of the Taunton maids, too, who were "given" by the King to the Queen's maids of honour, has been overlaid by gross exaggeration, and the amounts of the fines exacted from their parents on behalf of the maids of honour has never been accurately ascertained, but does not seem to have exceeded £2000. The intermediary in negotiations, which would certainly not be possible in our own days, was George Penne, who, as we have seen, acted also in the matter of Nepho's rebels. William Penn,

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<sup>6</sup> The bulk of the evidence against Prideaux is set out in rather a one-sided fashion in the Commons Journals, under the dates 1st May, 1689 (six columns) and 26th December, 1690 (four columns). Malachy Mallack is mentioned under the first date.

## The Bloody Assizes.

the Quaker, had nothing to do with any of those transactions. Nor did he live in the West Country : his home was in Surrey.

At last, on 10th March, 1686, James II. issued his long-delayed General Pardon by Proclamation of that date. The document is exceedingly verbose, and contains numerous exceptions by name, amongst whom the Taunton maidens appear. The list of persons excepted from the benefit of this Proclamation will be found set out in Appendix C to the present book.

## SECTION III.

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THE  
WESTERN MARTYROLOGY  
OR  
BLOODY ASSIZES

CONTAINING THE  
LIVES, TRIALS, AND DYING-SPEECHES  
OF ALL THOSE  
EMINENT PROTESTANTS

THAT  
Suffer'd in the West of England, and Elsewhere  
From the Year 1678, to this Time

TOGETHER WITH THE  
LIFE AND DEATH OF GEORGE L. JEFFREYS.

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THE FIFTH EDITION.

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TO WHICH IS NOW ADDED, TO MAKE IT COMPLETE,  
An Account of the Barbarous WHIPPINGS of Several  
Persons in the WEST.

Also the Trial and Case of Mr. John Tutchin (the Author  
of the OBSERVATOR), with the Cruel Sentence  
pass'd upon him; and his Petition to K. James to  
be HANG'D: Never before Printed.

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WITH AN ALPHABETICAL TABLE TO THE WHOLE.

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LONDON

Printed for JOHN MARSHALL at the Bible in Grace-  
Church-Street. MDCOV.



[Two pages of bad verse signed "J. S." and addressed "To the memory of those worthy Protestants who suffered in the West and elsewhere from the year 1678 to this present time" open the book. Then follows an account of "Sir Edmund Bury (sic) Godfrey," whose death occurred in 1678 (a string of falsehoods); Mr. Arnold, Stephen College, and the pretended martyrs of the Rye House Plot of 1683, Lords Essex and William Russell, Walcot, Sidney, Holloway, Sir Thomas Armstrong, and others; Oates himself and the other perjurer Dangerfield then follow in the list of mock martyrs canonised in this volume. None of these cases has the slightest bearing upon the "Bloody Assizes," and undoubtedly proceeded from the pen of Oates, to whom the whole of the first part of the volume may be attributed.

Then follows the serious part of the book which, alone, is worth attention.]

THE INTRODUCTION  
of the  
WESTERN TRANSACTIONS  
and  
GENERAL OBSERVATIONS UPON THEM.

I Am sensible 'tis a very invidious Thing to defend any Action which has had the Publick Scream and Cry long against it; with which even Men of Sense, and sometimes Religion too, tho' Pride or Shame perhaps seldom lets 'em own the very Truth on't, are commonly hurried away as well as others. But this is, 'tis hoped, for the general, an age of Confession and Ingenuity; and since so many of the greatest Men upon Earth have gone before, in acknowledging some Notions too far strained, and others mistaken, 'twill be no real Disgrace, but an Honour to follow them, when so much in the right. And if once Principles and Notions are changed, or limited, we shall necessarily have other Thoughts of Things and Persons than we had before; and that Action we called Rebellion, and those Men we thought rebels, while we had a wrong slavish Notion of Obedience; when once that's regulated, and we believe with all the World, and all Ages and Nations, That we are to obey only the lawful Commands of Superiors, and submit only to such unjust ones, as will not much damage the Commonwealth; but resist and defend ourselves, when all we have dear, our Religion, Liberty and Lives, are visibly and undeniably attackt and invaded, either without all Form of Law, or what's worse, the wrested Pretence of it. Then we think truly, that such Men are so far from being Rebels, that they are the worthy true Defenders of their Faith and Country: And such an Action so far from Rebellion, that 'tis highly meritorious and praiseworthy. Most Men being now satisfied in these Points, unless those whom insuperable Interest of Prejudice have poisoned and rooted incorrigibly in the contrary Belief. And the Truth and Reasonableness of them having been undeniably proved by many worthy Persons from the Law of Nations, the Ends of all Government, and the Constitution of our Kingdom, and the Practice of former Ages, both Popish and Protestant: All the Question now must be about Matter of Fact, Whether Things were then brought to that Extremity that 'twould probably be too late to make any Defence for Religion and Property if 'twere not then made; and whether or no the Fundamental Contract were then actually violated?

## The Bloody Assizes.

This is plain, that the Protestant Religion, and all our Liberties were then most eminently in Danger, publick Leagues being long before made between his Britannick Majesty and the King of France for their Extirpation : That he who had been voted in Parliament the main Head of the Popish Cause, was now grown the Head of the Kingdom ; or indeed the Popish Deputy here, as he is since the King of France's in our Neighbouring Island ; that for being reconciled to Rome, he was actually a Traitor ; and besides of a Religion whose Oaths could not be depended upon, as were then, and long before told, and have since sufficiently felt and experienced. That on this Account, he hardly could keep his Contract, as 'twas plain he actually did not, publicly and notoriously violating those Laws he swore to maintain, both before and after he had done it, by going to Mass himself, setting up Mass-houses and encouraging Popery. As for many Grievances and Oppressions, he was then as really guilty of 'em as ever after, tho' not in such large, and frequent, and various Instances ; some of 'em are those very same which the Parliament inserted among the proofs and Reasons of the Abdication, particularly the issuing out *Quo Warranto's* for Cities and Corporations ; the great Cause and Counsellor of which no Doubt he was, even before he actually, I mean publicly, reigned.

In a Word, the securing the Protestant Interest in all Europe, that, and their own Liberties in England, was the main Cause why many, and most engaged in this Design. If these were in no Danger, and not violated, they were Rebels : If the safety of 'em could be expected any other Way but by the Sword, they were no better. Whether Things were in that Condition, or no, at that Time, God and the World must be Judges. If it were so, they were not Rebels : If the Case was not so bad, and the Mystery of Iniquity not so far revealed, as it has been since, yet preventive Physick is necessary, especially when Death is unavoidable without it. If a prudent Man is to meet Mischief rushing upon him, and not stay for't till it overwhelms him, and take the same Course against a certain Consequence, as an actual Evil, why then, I think 'twill be very hard to hang People in one World, and damn 'em in another, for having as little a Foresight and great a Faith as their Neighbours.

Others there were who embarkt in that Action, because they really thought, how much mistaken soever they might be, that the Duke of Monmouth was the King's Legitimate Son ; which such as had a personal Love for him might more easily believe. Now, although many, who engaged on the former Account only, did not believe this, nor know anything of his Intention of being proclaimed King, nor approved of it when 'twas done ; and tho' had he been able to make out his Title, or let his Pretentions alone, he had not wanted in all Likelihood a sufficient Assistance from the Nobility and Gentry, none of whom for those Reasons coming in to him ; yet on the other Side, 'tis hardly doubted that these

## The Western Martyrology.

Men, who thought he had a Right, were really obliged to follow the Dictates of their Conscience, tho' mistaken, and do whatever lay in their Power, to the utmost Venture of their Lives, to fix him on his Father's Throne, to which they verily believed he had a proper Right and Title. And these Men too, acting on the same Reasons with the forementioned, for Deliverance of their Country, as well as Defence of him whom they thought their King; the earnest Zeal, and Concern, and Love which most of 'em manifested for the Protestant Religion, being besides so conspicuous in their Lives and Deaths, I know not how they can, without Impudence, be branded with the infamous Name of Rebels; nor think 'twill be any Arrogance to honour 'em with the just and dear-bought Title of Martyrs.

One Thing there is very observable in most, if not all of those who laid down their Lives in this Cause, both in England and Scotland, that, besides that extraordinary Divine Courage and Cheerfulness with which they died, they had expressions plainly boding that great Deliverance which Providence has since that miraculously accomplished for these Kingdoms. 'Twould be endless to give almost all the innumerable Instances of it: Mr. Nelthorpe says (God had in his wonderful Providence made him and other Instruments, not only in what was already fallen out, but he believed, for hastning some other great Work, he had yet to do in these Kingdoms.) Mrs. Gaunt says, (God's Cause shall revive, and he'd plead it at another Rate than yet he had done, against all its malicious Opposers.) And speaks yet more strangely of those then uppermost, and likely to be so. (That tho' they were seemingly fixed, and using their Power and Violence against those they had now got under 'em, yet unless they could secure Jesus Christ, and all his Holy Angels, they should never do their Business, but Vengeance would be upon 'em e'er they were aware.) Captain Ansley, whose Speech is as pretty and neat a Thing, as close, and Christian, and courageous, as perhaps any that ever was made by Man in his Condition, after he had said (He did not repent what he had done, but if he had a thousand Lives, would have engaged 'em all in the same Cause;) adds just after, (Though it has pleased the wise God, for Reasons best known to himself, now to blast our Designs, yet he will deliver his People by Ways we know not, nor think of.) Rumbold said just the same. Mr. Hewling says, (I question not, but in his own Time, God will raise up other Instruments to carry on the same Cause they died for, for his own Glory.) Mr. Lark, (That he was confident God would revenge their Bloods.) Now it will be very harsh to say, all these, and several more, to the same Purpose, were nothing but Enthusiasm, since spoken by Persons of all Sexes and Ages in twenty different Places, in the most calm and serene Tempers, and the Persons not wild or fanciful; and their Words miraculously made good by the Event, which shows God Honour'd 'em with being Prophets as well as Martyrs.

## The Bloody Assizes.

To proceed to the Persons who suffered in this Cause here, and in the West, and other Places, chiefly under Jeffreys' insulting Cruelty. His dealing with 'em is not to be parallell'd by any thing but the new French Dragons, or the old Cut-throats and Lord Chief Justices of the poor Albigenes or Waldenses at Merindot and Cutrices. Had the Great Turk sent his Janisaries, or the Tartar his Armies among 'em they'd 'scaped better. Humanity could not offend so far to deserve such Punishment as he inflicted. A certain barbarous Joy and Pleasure grinned from his Brutal Soul through his Bloody Eyes, whenever he was sentencing any of the poor Souls to Death and Torment; so much worse than Nero, as when that Monster wisht he had never learnt to write, because forced to set his Name to Warrants for Execution of Malefactors. Jeffreys would have been glad if every Letter he writ had been such a Warrant, and every Word a Sentence of Death. He observed neither Humanity to the Dead, nor Civility to the Living. He made all the West an Aceldama; some Places quite depopulated, and nothing to be seen in 'em but forsaken Walls, unlucky Gibbets, and Ghostly Carcasses. The Trees were loaden, almost as thick with Quarters as Leaves. The Houses and Steeples covered as close with Heads, as at other Times frequently in that Country with Crows and Ravens. Nothing could be liker Hell than all those Parts, nothing so like the Devil as he. Caldrons hissing, Carkases boyling, Pitch and Tar sparkling and glowing, Blood and Limbs boyling, and tearing, and mangling, and he the great Director of all; and in a Word, discharging his Place who sent him, the best deserving to be the late King's Chief Justice there, and Chancellor after, of any Man that breathed since Cain or Judas.

Some of the more Principal Persons who fell under his barbarous Sentences, 'tis thought worth while to treat distinctly and particularly of, throwing the rest together after 'em, and only reprinting the former Account, if any are left out, it being necessary to hasten, to prevent Shams. If the Book be accepted, and come to another Edition, they shall be inserted; and if any Faults or Mistakes found, acknowledged and regulated. And the first whom we shall make especial Remarks on, are

### The Hewlings.

[The two Hewlings, Benjamin and William, were the grandsons of the celebrated William Kiffen (1616-1701), a wealthy merchant of the city of London, who would also be more correctly described as a Baptist minister rather than as an "Anabaptist." Kiffen was on good terms with Charles II., from whom he frequently obtained pardons for his co-religionists. One story, perhaps of the *ben trovato* order, told of Kiffen and the King

## The Hewlings.

is that Charles asked for a loan of £40,000 from Kiffen, and that the latter was astute enough to make the King a present of £10,000, and to boast afterwards that he had saved £30,000. In his autobiography, Kiffen states that "a near relation that went into the West to see the issue of things and to perform whatever should be necessary" for them, gives the following account of his grandsons' execution. Kiffen does not say who this near relation was, but proceeds to repeat a great part of the account set out in the "Bloody Assizes." He was unsuccessful in his attempts to purchase the pardons of his grandsons and did not find James II. so easy to deal with as he undoubtedly would have found Charles II.]

If any one would see true Pure Popish Mercy, let 'em look on these Two Gentlemen, the only Sons of their Vertuous and Sorrowful Parents; the Comforts, Props, and Hopes of their Name and Family, carefully educated, vertuously disposed both of them; after all repeated Applications, if but for one of their Lives, barbarously Executed. A particular Care was taken by their Father in their Education, forming their Minds by his own Example, and constant Instructions and Prayers, as well as other Pains of Ingenious Masters, to the strictest Rules of Piety and Vertue. Nor was their Pious and very Tender Mother less careful in that Particular.

The Elder, Mr. Benjamin Hewling, had Tutors in the Mathematicks, and other Parts of Philosophy; a Course of which he went through successfully enough, and so as to render him as compleat in his Mind, as Nature had formed his Body: After which he went to Holland, as his Brother Mr. William Hewling, from whence this last returned with the Duke: Both of 'em had Commands in the Army; the Elder had a Troop of Horse, the Younger was a Lieutenant of Foot, and discharged their Places with much more Conduct and Bravery than could be expected from such Young Soldiers, being entirely satisfied in the Cause they fought for, since 'twas no less than the Interest of all that was dear to 'em in this World or t'other. The Eldest had particularly signalized himself in several Skirmishes, and was sent with a Detachment of his own Troop, and Two more, to Myn-head in Somersetshire to bring Cannon to the Army, at the very Instant the Duke engaged the King's Forces at Fatal Sedgmore; and came not up till after the Field was entirely left; to whose Absence, with so considerable a Party of the Duke's Horse, and the most resolved Men of all he had, the Loss of the Day was principally owing. Finding all Things in Disorder, and the Rout beyond recovering, he was forced to disperse his Troop, every one shifting as they could for themselves. He and his Brother kept together, where, what befell 'em after, their Friends have given an exact Account, which is here following inserted.

## The Bloody Assizes.

AN ACCOUNT OF THE BEHAVIOUR OF MR. WILLIAM AND BENJAMIN HEWLING, BEFORE AND AT THEIR EXECUTION; WITH SEVERAL LETTERS TO DIVERS OF THEIR RELATIONS.

The Gracious dealings of God, manifested to some in Dying Hours, have been of great Advantage to those living that heard the same, giving them an Occasion thereby to reflect on their own State, and to look after the Things of their Peace, before they be hid from their Eyes; as also a great Encouragement to strengthen the Faith of those that have experienced the Grace of God to them.

To that End it is thought necessary, by Parents especially, to preserve to their Children that Remain, those blessed Experiences that such have had, which God hath taken to himself.

Here therefore is presented a true Account of the Admirable Appearances of God towards two Young Men; Mr. Benjamin Hewling, who died when he was about 22 Years of Age, and Mr. William Hewling, who died before he arrived to 20 Years: They engaged with the Duke of Monmouth, as their own Words were, for the English Liberties, and the Protestant Religion, and for which Mr. William Hewling was Executed at Lyme the 12th of September, 1685, and Mr. Benjamin Hewling at Taunton, the 30th of the same Month; and however severe Men were to them, yet the blessed Dispensation of God towards them was such, as hath made good his Word, that out of the Mouths of Babes he hath ordained Strength, that he may fill the Enemy and the Avenger, Then, Reader, would you see Earthly Angels, (Men that are a little too low for Heaven, and much too high for Earth) would you see poor frail Creatures trampling this World under their Feet, and with an holy, serene Countenance Smiling at the Threats of Tyrants, who are the Terrors of the Mighty in the Land of the Living? Would you see shackled Prisoners behave themselves like Judges, and Judges stand like Prisoners before them? Would you see some of the rare Exploits of Faith in its highest Elevation, immediately before it be swallowed up in the Beatifical Vision? To conclude, would you see the Heavenly Jerusalem portrayed on Earth? Would you hear the melodious Voices of ascending Saints in a ravishing Concert ready to join with the Heavenly Chorus in their delightful Hallelujah's? Then draw near, come and see! If thou be a Man of an Heavenly Spirit, here is pleasant and suitable Entertainment for thee; and after thou hath conversed a while with these Excellent Spirits, it may be thou wilt judge as I do, That dead Saints are sweeter Companions (in some respects) for thee to converse with, than those that are living; And when thou shalt see the magnificent Acts of their Faith, their invincible Patience, their flaming Love to Christ, their strange Contempt and Undervaluings of the World, their Plainness and Simplicity in the Profession of the Gospel, their fervent and brotherly Love to each other, their ravishing

## The Hewlings.

Prospect, (as it were on the Top of Mount Pisgah) of the Heavenly Canaan, their Swan-like Songs and Dying Speeches. And, Reader, you know the first Lispings of little Children, and last Farewells of Dying Saints are always most sweet and charming: Those Foretastes of the Rivers of Pleasure, the transporting Glimpses they had of the Crown of Glory; I say, when you see and read these Exemplary Truths, wonder not that the Pious Hewlings longed so vehemently to be in a better World, though they were to pass through a Thousand Deaths, or the Fiery Trial to it. (But to come to our intended Matter.)

After the dispersing of the Duke's Army, they fled and put to Sea, but were driven back again, and with the Hazard of their Lives got on Shoar, (over dangerous Rocks) where they saw the Country filled with Soldiers, and they being unwilling to fall into the Hands of the Rabble, and no Way of Defence or Escape remaining to them, they surrendered themselves Prisoners to a Gentleman, whose House was near the Place they landed at, and were from thence sent to Exeter Gaol, the 12th of July, where remaining some Time, their Behaviour was such, that (being visited by many) caus'd great Respect towards 'em, even of those that were Enemies to the Cause they engaged in; and being on the 27th of July put on Board the Swan Frigate, in Order to their bringing up to London, their Carriage was such, as obtained great Kindness from the Commander, and all other Officers in the Ship; and being brought into the River, Captain Richardson came and took them into his Custody, and carried them to Newgate, putting great Irons about them, and put them apart from each other, without giving Liberty for the nearest Relation to see them, notwithstanding all Endeavours and Entreaties used to obtain it, tho' in the Presence of a Keeper; which though it did greatly increase the Grief of Relations, God, who wisely orders all Things for Good to those he intends Grace and Mercy to, made this very Restraint, and hard Usage a blessed Advantage to their Souls, as may appear by their own Words, when after great Importunity and Charge, some of their near Relations had Leave to speak a few Words to them before the Keeper, to which they replied, They were contented with the Will of God whatever it should be. Having been in Newgate three Weeks, there was Order given to carry them down into the West, in Order to their Trial; which being told them, they answered, They were glad of it; and that Morning they went out of Newgate, several that beheld them, seeing them so chearful, said, Surely they had received their Pardon, else they could never carry it with that Courage and chearfulness. Although this must be observed, that from first to last, whatever Hopes they received from Friends, they still thought the contrary, never being much affected with the Hopes of it, nor cast down, nor the least discouraged at the worst that Man could do. In their Journey to Dorchester, the Keepers that went with them have given this Account of them, That their Carriage was so grave,



## The Bloody Assizes.

serious, and Christian, that made them admire to see and hear what they did from such Young Men.

A near Relation that went into the West to see the Issue of Things, and to perform whatever should be necessary for them, gives the following Account:

At Salisbury, the 30th of August, I had the first Opportunity of Converse with them: I found them in a very Excellent Composure of Mind, declaring their Experience of the Grace and Goodness of God to them in all their Sufferings, in supporting and strengthening, and providing for them, turning the Hearts of all in whose Hands they had been both at Exon, and on Ship-board, to shew Pity and Favour to them; although since they came to Newgate they were hardly used, and now in their Journey loaded with heavy Irons, and more inhumanely dealt with. They with great Cheerfulness professed, That they were better, and in a more happy Condition than ever in their Lives, from the sense they had of the pardoning Love of God in Jesus Christ to their Souls, wholly referring themselves to their wise and gracious God to chuse for them Life or Death; expressing themselves thus: Any thing what pleases God, what he sees best, so be it: We know he is able to deliver, but if not, blessed be his Name, Death is not terrible now, but desirable. Mr. Benjamin Hewling particularly added, As for the World, there is nothing in it to make it worth while to live, except we may be serviceable to God therein. And afterward said, Oh! God is a strong Refuge, I have found him so indeed.

The next Opportunity I had was at Dorchester, where they both were carried, there remaining together four Days: By Reason of their strait Confinement our Converse was much interrupted; but this appeared, that they had still the same Presence and Support from God, no way discouraged at the Approach of their Trial, nor of the Event of it, whatever it should be.

The 6th of September Mr. Benjamin Hewling was ordered to Taunton to be tried there: Taking my leave of him, he said, Oh! Blessed be God for Afflictions! I have found such happy Effects, that I would not have been without them for all this World.

I remained still at Dorchester to wait the Issue of Mr. William Hewling, to whom, after Trial, I had free Access, whose Discourse was much filled with Admirings of the Grace of God in Christ, that had been manifested towards him, in calling him out of his natural State. He said, God by his holy Spirit did suddenly seize upon his Heart, when he thought not of it in his retired Abode in Holland, as it were secretly whispering in his Heart, Seek ye my Face, enabling him to answer his Call, and to reflect upon his own Soul, shewing him the Evil of Sin, and Necessity of Christ, from that Time carrying him on, to a sensible Adherence to Christ for Justification and Eternal Life. He said, Hence he found a Spring of Joy and Sweetness, beyond the Comforts of the whole Earth. He further said, He could not but admire the

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wonderful Goodness of God, in so preparing him, for what he was bringing him to, which then he thought not of! giving him Hope of Eternal Life, before he called him to look Death in the Face, so that he did chearfully resign his Life to God before he came, having sought his Guidance in it; and that both then, and now the Cause did appear to him very Glorious, notwithstanding all he had suffered in it, or what he further might. Although for our Sins God had with-held these good Things from us. But he said, God had carried on his Blessed Work on his Soul, in and by all his Sufferings; and whatever the Will of God were, Life or Death, he knew it would be best for him.

After he had received his Sentence, when he returned to Prison, he said, Methinks I find my Spiritual Comforts increasing, ever since my Sentence. There is no condemnation to them that are in Christ Jesus, it's God that justifies, who shall condemn?

When I came to him the next Morning, (when he had received News that he must die the next Day, and in Order to it was to be carried to Lyme that Day) I found him in a more excellent rais'd Spiritual Frame than before; He said, He was satisfied God had chosen best for him; he knows what the Temptations of Life might have been; I might have lived and forgotten God, but now I am going where I shall sin no more. O! it's a Blessed Thing to be free from Sin, and to be with Christ. Oh! the Riches of the Love of God in Christ to Sinners. Oh! how great were the Sufferings of Christ for me beyond all I can undergo? How great is that Glory to which I am going? It will soon swallow up all our Sorrow here.

When he was at Dinner, just before his going to Lyme, he dropt many abrupt Expressions of his inward Joy, such as these: Oh! the Grace of God, the Love of Christ; Oh! that blessed Supper of the Lamb, to be for ever with the Lord! He further said, When I went to Holland, you knew not what Snares, Sins and Miseries I might fall into, or whether ever we should meet again: But now you know whither I am going, and that we shall certainly have a most joyful Meeting. He said, Pray give my particular Recommendation to all my Friends, with Acknowledgments for all their Kindness. I advise them all to make sure of an Interest in Christ, for he is the only Comfort when we come to die.

One of the Prisoners seemed to be troubled at the Manner of the Death they were to die; to whom he replied, I bless God I am reconciled to it all.

Just as he was going to Lyme, he writ these few Lines to a Friend, being hardly suffered to stay so long.

I am going to Launch into Eternity, and I hope and trust into the Arm of my Blessed Redeemer, to whom I commit you and all my dear Relations; my Duty to my dear Mother, and Love to all my Sisters, and the rest of my Friends,

WILLIAM HEWLING.

## The Bloody Assizes.

As they passed through the Town of Dorchester to Lyme, Multitudes of People beheld them, with great Lamentations, admiring at his Deportment at his parting with his Sister.

As they passed upon the Road between Lyme and Dorchester, his Discourse was exceeding Spiritual, (as those declared who were present) taking Occasion from every Thing to speak of the Glory they were going to. Looking out on the Country as he passed, he said This is a Glorious Creation, but what then is the Paradise of God to which we are going? 'Tis but a few Hours, and we shall be there, and for ever with the Lord.

At Lyme, just before they went to die, reading John 14. 18. He said to one of his Fellow-sufferers. Here is a sweet Promise for us. I will not leave you comfortless, I will come unto you. Christ will be with us to the last. One taking Leave of him, he said, Farewell till we meet in Heaven; presently I shall be with Christ: Oh! I would not change Conditions with any in this World; I would not stay behind for ten thousand Worlds.

To another that asked him how he did now? He said, Very well be blessed God. And farther asking him, if he could look Death in the Face with Comfort now it approach'd so near? He said, Yes, I bless God I can with great comfort: God has made this a good Night to me, my Comforts are much encreased since I left Dorchester: Then taking Leave of him, said, Farewel, I shall see you no more. To which he replied, How! See me no more? Yes, I hope to meet you in Glory. To another that was by him to the last he said, Pray remember my dear Love to my Brother and Sister, and tell them, I desire they would comfort themselves that I am gone to Christ, and we shall quickly meet in the Glorious Mount Sion above.

Afterwards he prayed for about three Quarters of an Hour with the greatest Fervency, exceedingly blessing God for Jesus Christ, adoring the Riches of his Grace in him, in all the Glorious Fruits of it towards him, praying for the Peace of the Church of God, and of these Nations in particular, all with such eminent Assistance of the Spirit of God, as convinced, astonished, and melted into Pity the Hearts of all present, even the most malicious Adversaries, forcing Tears and Expressions from them; some saying, They knew not what would become of them after Death; but it was evident he was going to great Happiness.

When he was just going out of the World, with a joyful Countenance, he said, Oh! now my Joy and Comfort is, that I have a Christ to go to, and so sweetly resigned his Spirit to Christ, the 12th of September, 1685.

An Officer who had shewed so malicious a Spirit as to call the Prisoners Devils, when he was guarding them down, was now so convinced, that he after told a Person of Quality, That he was never so affected, as by his Cheerful Carriage and fervent Prayer, such, as he believed, was never heard, especially from one so Young;

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and said, I believe, had the Lord Chief Justice been there, he would not have let him die.

The Sheriff having given his Body to be buried, although it was brought from the Place of Execution without any Notice given, yet very many of the Town, to the Number of about 200, came to accompany him; and several Young Women of the best of the Town, laid him in his Grave in Lyme Church-Yard, the 13th of September, 1685.

### AFTER WHICH HIS SISTER WROTE THIS FOLLOWING LETTER TO HER MOTHER.

Although I have nothing to acquaint my Dear Mother withall, but what is most afflictive to Sense, both as to the Determination of God's Will, and as to my present Apprehension concerning my Brother Benjamin, yet remaining; yet there is such abundant Consolation mixt in both, that I only wanted an Opportunity to pay this Duty; God having wrought so Glorious a Work on both their Souls, revealing Christ in them, that Death is become their Friend. My Brother William having already with the greatest Joy declared to those that were with him to the last, that he would not change Conditions with any that were to remain in this World, and he desired that his Relations would comfort themselves, that he is gone to Christ.

My Brother Benjamin expects not long to continue in this World, and is exceeding willing to leave it when God shall call, being fully satisfied that God will chuse that which is best for him and us all; by these Things God doth greatly support me; and I hope you also, my Dear Mother, which was and is my Brother's great Desire; there is still Room for Prayer for one; and God having so answered, though not in kind, we have Encouragement still to wait on him.

Honoured Mother,

Your Dutiful Daughter,

HANNAH HEWLING.

When I came to Taunton, to Mr. Benjamin Hewling, he had received the News of his Brother's being gone to die with so much Comfort and Joy, and afterwards of the continued Goodness of God increasing it to the End. He exprest to this Effect, We have no Cause to fear Death, if the Presence of God be with us; there is no Evil in it, the Sting being taken away; it's nothing but our Ignorance of the Glory that the Saints pass into by Death, which makes it appear dark for our selves or Relations; if in Christ, what is this World that we should desire an Abode in it? It's all vain and unsatisfying, full of Sin and Misery: Intimating also his own chearful Expectations soon to follow, discovering them, and all along great Seriousness, and Sense of Spiritual and Eternal Things, complaining of nothing in his present Circum-

## The Bloody Assizes.

stances, but Want of a Place of Retirement to converse more uninterruptedly with God and his own Soul, saying, That his lonely Time in Newgate was the sweetest in his whole Life. He said, God having some Time before struck his Heart (when he thought of the Hazard of his Life) to some serious Sense of his past Life, and the great consequences of Death and Eternity, shewing him, that they were the only happy Persons that had secured their Eternal States: The Folly and Madness of the Ways of Sin, and his own Thralldom therein, with his utter Inability to deliver himself; also the Necessity of Christ for Salvation: He said it was not without Terror and Amazement for some Time, the Sight of unpardoned Sin, with Eternity before him. But God wonderfully opened to him the Riches of his Free Grace in Christ Jesus for poor Sinners to flee to, enabling to look alone to a Crucified Christ for Salvation: He said this blessed Work was in some Measure carried on upon his Soul, under all his Business and Hurries in the Army; but never sprung forth so fully and sweetly till his close Confinement in Newgate. There he saw Christ and all Spiritual Objects more clearly, and embraced them more strongly; there he experienced the Blessedness of a reconciled State, the Excellency of the Ways of Holiness, the Delightfulness of Communion with God, which remained with very deep and apparent Impressions on his Soul, which he frequently expressed with Admiration of the Grace of God towards him. He said, Perhaps my Friends may think this Summer the saddest Time of my Life; but I bless God it hath been the sweetest and most happy of it all; nay, there is nothing else worth the Name of Happiness. I have in vain sought Satisfaction from the Things of this World, but I never found it; but now I have found Rest for my Soul in God alone.

O how great is our Blindness by Nature, till God open our Eyes, that we can see no Excellency in Spiritual Things, but spend our precious Time in pursuing Shadows, and are deaf to all the Invitations of Grace, and Glorious Offers of the Gospel! How just is God in depriving us of that we so much slighted and abused! Oh! his Infinite Patience and Goodness, that after all he should yet sanctify any Methods to bring a poor Sinner to himself: Oh! Electing Love, Distinguishing Grace! What great Cause have I to admire and adore it!

He said, What an amazing Consideration is the suffering of Christ for Sin, to bring us to God; his suffering from wicked Men was exceeding great; but alas, what was that to the Dolours of his Soul, under the infinite Wrath of God! This Mystery of Grace and Love is enough to swallow up our Thoughts to all Eternity.

As to his own Death, he would often say, He saw no Reason to expect any other; I know God is infinitely able to deliver, and I am sure He will do it, if it be for his Glory, and my Good; in which, I bless God, I am fully satisfied; it's all my Desire that

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he would chuse for me, and then I am sure it will be best, whatever it be; for truly, unless God have some Work for me to do in the World for his Service and Glory, I see nothing else to make Life desirable. In the present State of Affairs, there is nothing to cast our Eyes upon, but Sin, Sorrow, and Misery: And truly, were Things never so much according to our Desires, it's but the World still, which will never be a Resting-place. Heaven is the only State of Rest and Happiness; there we shall be perfectly free from Sin and Temptation, and enjoy God without Interruption for ever.

Speaking of the Disappointment of their Expectations in the Work they had undertaken, he said with Reference to the Glory of God, the Prosperity of the Gospel, and the Delivery of the People of God, We have great Cause to lament it; but for that outward Prosperity that would have accompanied it, it's but of small Moment in it self; as it could not satisfie, so neither could it be abiding; for at longest Death would have put an End to it all: Also adding, Nay, perhaps we might have been so foolish, as to have been taken with that Part of it, with the Neglect of our eternal Concerns; and then, I am sure, our present Circumstances are incomparably better.

He frequently expressed great Concern for the Glory of God, and Affection to his People, saying, If my Death may advance God's Glory, and hasten the Deliverance of his People, it is enough; saying, It was a great Comfort to him, to think of so great a Privilege as an Interest in all their Prayers.

In his Converse particularly valuing and delighting in those Persons, where he saw most Holiness shining; also great Pity to the Souls of others, saying, That the Remembrance of our former Vanity may well cause Compassion to others in that State. And in his Converse prompting others to Seriousness, telling them, Death and Eternity are such weighty Concerns, that they deserve the utmost Intention of our Minds; for the way to receive Death chearfully, is to prepare for it seriously; and if God should please to spare our Lives, surely we have the same Reason to be serious, and spend our remaining Days in his Fear and Service.

He also took great Care that the Worship of God, which they were in a Capacity of maintaining there, might be duly performed; as Reading, Praying, and Singing of Psalms, in which he evidently took great Delight.

For those three or four Days before their Deaths, when there was a general Report that no more should die; he said, I don't know what God hath done beyond our Expectation; if he doth prolong my Life, I am sure it is all his own, and by his Grace I will wholly devote it to him.

But the 29th of September, about Ten or Eleven at Night, we found the Deceitfulness of Report, they being then told they must die the next Morning, which was very unexpected, as to the Suddenness of it; but herein God glorified his Power, Grace and

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Faithfulness, in giving suitable Support and Comfort by his blessed Presence, which appeared upon my coming to him at that Time, finding him greatly composed; he said, Though Men design to surprise, God doth and will perform his Word, to be a very present Help in Trouble.

The next Morning when I saw him again, his Chearfulness and Comfort were much increased, waiting for the Sheriff with the greatest Sweetness and Serenity of Mind; saying, Now the Will of God is determined, to whom I have referred it, and he hath chosen most certainly that which is best.

Afterwards with a smiling Countenance he discoursed of the Glory of Heaven, remarking with much Delight the third, fourth, and fifth Verses of the 22nd of the Revelations, And there shall be no more Curse; but the Throne of God, and of the Lamb, shall be in it, and his Servants shall serve him, and they shall see his Face, and his Name shall be in their Foreheads, and there shall be no night there, and they shall need no Candle nor Light of the Sun, and they shall reign for ever and ever. Then he said, Oh, what a happy State is this! Shall we be loth to go to enjoy this! Then he desired to be read to him, 2 Cor. 5. For we know that if our earthly House of this Tabernacle were dissolved, we have a building of God, a House not made with Hands, eternal in the Heavens; to the tenth or eleventh Verses. In all, his comforts still increasing, expressing his sweet Hopes and good Assurance of his Interest in this Glorious Inheritance, and being now going to the Possession of it, seeing so much of this happy Change, that he said, Death was more desirable than Life; he had rather die than live any longer here. As to the Manner of his Death, he said, When I have considered others under these Circumstances, I have thought it very dreadful, but now God hath called me to it, I bless God I have quite other Apprehensions of it; I can now chearfully embrace it as an easie Passage to Glory; And though Death separates from the Enjoyments of each other here, it will be but for a very short Time, and then we shall meet in such Enjoyments as now we cannot conceive, and for ever rejoice in each others Happiness. Then reading the Scriptures, and musing with himself, he intimated the great Comfort God conveyed to his Soul in it; saying O what an invaluable Treasure is this blessed Word of God; in all Conditions here is a Store of strong Consolation. One desiring the Bible, he said, No, this shall be my Companion to the last Moment of my Life. Thus praying together, reading, meditating, and conversing of Heavenly Things, they waited for the Sheriff, who, when he came, void of all Pity or Civility, hurried them away, scarce suffering them to take Leave of their Friends. But notwithstanding this and the doleful Mourning of all about them, the Joyfulness of his Countenance was encreased. Thus he left his Prison, and thus he appeared in the Sledge, where they sat about half an Hour, before Officers could force the Horses to draw, at which they were greatly enraged, there

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being no visible Obstruction from Weight or Way. But at last the Mayor and Sheriff hall'd them forwards themselves. Balaam-like driving the horses.

When they came to the Place of Execution, which was surrounded with Spectators, many that waited their Coming with great Sorrow, said, That when they saw him and them come with such Chearfulness and Joy, and Evidence of the Presence of God with them, it made Death appear with another Aspect.

They first embraced each other with the greatest affection; then two of the Elder Persons praying audibly, they joined with great Seriousness. Then he desired Leave of the Sheriff to pray particularly, but he would not grant it, only askt him if he would pray for the King? He answered, I pray for all Men. We then requested they might sing a Psalm; which the Sheriff told him, It must be with the Ropes about their Necks; which they chearfully accepted, and sung with such heavenly Joy and Sweetness, that many present said, It both broke and rejoiced their Hearts.

Thus in the Experience of the Delightfulness of praising God on Earth, he willingly closed his Eyes on a vain World, to pass to that eternal Employment, Sept. 30. 1685.

All prestent of all Sorts were exceedingly affected and amazed. Some Officers that had before insultingly said, Surely these Persons have no Thoughts of Death, but will find themselves surprised by it; after said, That they now saw he and they had something extraordinary within, that carried them through with such Joy. Others of them said, That they were so convinced of their Happiness, that they would be glad to change Conditions with them. All the Soldiers in general, and all others, lamenting exceedingly, saying, That it was so sad a Thing to see them so cut off, they scarce knew how to bear it.

Some of the most malicious in the Place, from whom nothing but Railing was expected, said, (as they were carried to their Grave in Taunton Church, voluntarily accompanied by most of the Town) That these Persons had left a sufficient Evidence, that they were now glorified Saints in Heaven.

A great Officer in the King's Army has been often heard to say, That if you would learn to die, go to the Young Men of Taunton.

Much more was utter'd by them, which shewed the blessed and glorious Frames of their Hearts, (to the Glory of Divine Grace) but this is what occurs to Memory.

Mr. Benjamin Hewling, about two Hours before his Death, writ this following Letter, which shewed the great Composure of his Mind.

MR. HEWLING'S LAST LETTER A LITTLE BEFORE HIS EXECUTION.

Taunton, Septemb. 30, 1685.

Honoured Mother,—That News which I know you have a great



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while feared, and we expected, I must now acquaint you with, That notwithstanding the Hopes you gave in your two last Letters, Warrants are come down for my Execution, and within these few Hours I expect it to be performed. Blessed be the Almighty God that gives Comfort and Support to such a Day; how ought we to magnifie his holy Name for all his Mercies, that when we were running on in a course of Sin, he should stop us in full Career, and shew us that Christ whom we had pierced, and out of his Free Grace enable us to look upon him with an Eye of Faith, believing him able to save to the uttermost all such as come to him. Oh admirable long-suffering Patience of God, that when we were dishonouring his Name, he did not take that Time to bring Honour to himself by our destruction. But he delighteth not in the Death of a Sinner, but had rather he should turn to him and live: And he has many Ways of bringing his own to himself. Blessed be his Holy Name that through Affliction he has taught my Heart in some Measure to be conformable to his Will, which worketh Patience, and Patience worketh Experience, and Experience Hope, which maketh not ashamed. I bless God I am not ashamed of the Cause for which I lay down my Life; and as I have engaged in it, and fought for it, so now I am going to seal it with my Blood. The Lord still carry on the same Cause which hath been long on Foot; and tho' we die in it and for it, I question not but in his own good Time he will raise up other Instruments more worthy to carry it on to the Glory of his Name, and the advancement of his Church and People.

Honoured Mother, I know there has been nothing left undone by you, or my Friends, for the saving of my Life, for which I return many hearty Acknowledgments to your self and them all; and it's my dying request to you and them, to pardon all Undutifulness and Unkindness in every Relation. Pray give my duty to my Grandfather and Grandmother, Service to my Unkles and Aunts, and my dear Love to all my Sisters; to every Relation and Friend a particular Recommendation. Pray tell 'em all how precious an Interest in Christ is when we come to die, and advise them never to rest in a Christless Estate. For if we are his, it's no Matter what the World do to us, they can but kill the Body, and blessed be God the Soul is out of their Reach, for I question not but their Malice wishes the Damnation of that, as well as the Destruction of the Body, which has too evidently appeared by their deceitful flattering Promises. I commit you all to the Care and Protection of God, who has promised to be a Father to the Fatherless, and a Husband to the Widow, and to supply the Want of every Relation. The Lord God of Heaven be your Comfort under these Sorrows, and your Refuge from those Miseries we may easily foresee coming upon poor England, and the poor distressed People of God in it. The Lord carry you through this Vale of Tears with a resigning, submissive Spirit, and

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at last bring you to himself in Glory; where I question not but you will meet your dying Son,

BENJAMIN HEWLING.

### THEIR CHARACTERS.

They were both of sweet and obliging Tempers, as has appeared in their History, it being a very hard Matter for their worst Enemies, when they once knew 'em well, not to honour and love 'em. Mr. Benjamin, the Elder, reconciled the Lamb and the Lion exactly. In the Field he seemed made only for War, and anywhere else, for nothing but Love. He without Flattery, deserved to be called a very Fine Man, of a lovely Proportion, extreamly well made, as handsom a Meen, and good an Air, as perhaps few in England exceeded him: His Picture is pretty like him.

The Younger, Mr. William, somewhat taller, and more slender. His face fresh and lively, as his Spirit being Master of an extraordinary Vivacity and Briskness of Temper. Both of 'em Vertuous, Pious and Courageous, far above their years, and indeed, seemed to be Men too soon, one of 'em not being Twenly when they died; verifying that common Observation, That whatever is perfect sooner than ordinary, has generally a shorter period prefixed it, than what's more base and ignoble.

### Mr. Christopher Battiscombe.

[Christopher Battiscombe was one of the Rye House conspirators, according to the examination of Robert Blaney, taken by Secretary Sir Leoline Jenkins on 29th June, 1683, and set out in Bishop Sprat's "True Account" of the conspiracy. He was arrested, but does not seem to have been of sufficient importance to be indicted. It does not seem probable that he was imprisoned at Dorchester, for the Rye House plotters were all sent up to London.]

He was another Young Gentleman of a good Family, and very great Hopes, and of a fair Estate, which lay in Dorsetshire, somewhere between Dorsetshire and Lyme. He had studied some Time at the Temple, and having Occasions in the Country about the Time of my Lord Russel's Business, he was there seized, on Suspicion of being concerned in it, and clapt into the County Gaol at Dorchester, where he behaved himself with that Prudence and winning Sweetness, and shewed so much Wit, and innocent Pleasantry of Temper, as extreamly obliged both all his Keepers and Fellow-Prisoners, and even Persons of the best Quality in that Town. 'Tis indeed a genteel, well-bred Place, as almost any in England, at such a Distance from London. The Streets are fair and large, and Buildings pretty regular; Two sweet

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plentiful Rivers running by it. It stands on a Chalky Hill, but wants not Store of good Water. The Market-House is a pleasant little Pile, that very much sets off the Town. There are Three Churches in it, and One in its adjoining Parish. 'Tis endowed with several Alms houses, a good Grammar-School well enough provided, which has had the Happiness of Ingenious Masters, and by their Care, produced no inconsiderable Number of good scholars. There are two or three fine old Roman Fortifications near the Town, which Camden and Speed take Notice of. The People on't are generally Civil and Gallant enough, if not a little on the extreamthst Way. They knew how to value such a Gentleman as Battiscomb, and made him such frequent Visits in the Prison, till the Place it self was so far from being scandalous, that there was generally all the Conversation, and where you might be sure to meet the best Company in the Town of both sexes. Mr. Battiscomb had the Happiness not to be displeasing to the Fair Sex, who had as much Pity and Friendship for him as consisted with the Rules of Decency and Vertue; and perhaps their Respect for him did not always stop at Friendship, tho' it still preserved the other Bounds inviolable. Pity is generally but a little Way from Love, especially when the Object of it is any thing extraordinary. But after he had been there some Time, and nothing could be proved against him which could any ways affect him, he was at length, almost unwillingly delivered from this Sort of happy Slavery. And when the Duke landed, appeared with him, and served him with equal Faith and Valour, till the Rout at Sedgmoor, when he fled with the rest, and got up as far as Devonshire, where he was seized in a Disguise, and brought to his Old Palace, the Prison at Dorchester.

He behaved himself there the second Time in the same courteous, obliging Manner as he did at the first, tho' now he seemed more thoughtful, and in Earnest than before, as knowing nothing was to be expected but speedy Death; though his Courage never droopt, but was still the same, if it did not increase with his Danger. At his Trial Jeffreys railed at him with so much Eagerness and Barbarity, that he was observed to foam almost upon the Bench. He was so angry with him, because he was a Lawyer, and could have been contented all such as he should be hang'd up without any Trial; and truly 'twas no great Matter whether he or the rest had had that Formality, or no. Mr. Battiscomb was as undaunted at the Bar, as in the Field, or at Execution. How he demeaned himself in Prison before his Death, take this following Account verbatim, as 'twas written by his Friends. Tho' that which occurred most remarkable after his Sentence, must not be omitted. Several Young Ladies in the Town, among whom one, who is particularly mentioned in the Poem, went to Jeffreys to beg his Life, who repuls'd 'em at such a brutish Rate, as nothing with one Spark of Humanity would

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have been guilty of, and in a Manner even too uncivil to be mentioned. The Particulars may be seen in the Petition of the Widows and Orphans of that Country.

### THE ACCOUNT GIVEN OF HIM BY HIS RELATIONS.

He was observed to be always serious and chearful, ready to entertain Spiritual Discourse, manifesting Affection to God's People and his Ordinances; he seemed to be in a very calm Indifference to Life or Death, referring himself to God to determine it, expressing his great Satisfaction as to some Opportunities of Escape that was slipt, saying, That truly he sometimes thought the Cause was too good to flee from suffering in it, though he would use all lawful Means for his Life; but the Providence of God having prevented this, he was sure it was best for him, for he said, he blest God he could look into Eternity with Comfort. He said, with Respect to his Relations and Friends, to whom his Death would be afflictive, that he was willing to live, if God saw good; but for his own Part, he thought Death much more desirable. He said, I have enjoyed enough of this World, but I never found any thing but Vanity in it, no Rest or Satisfaction. God, who is an Infinite Spiritual Being, is the only suitable Object for the Soul of Man, which is Spiritual in its Nature, and too large to be made happy by all that this World can afford, which is all but sensual. Therefore methinks, I see no Reason why I should be unwilling to leave it by death, since our Happiness can never be perfected till then, till we leave this Body, where we are so continually clogg'd with Sin and Vanity, frivolous and foolish Trifles. Death in it self is indeed terrible, and Natural Courage is too low to incounter it; nothing but an Interest in Christ can be our Comfort in it, he said, which Comfort I hope I have; intimating much advantage to his Soul by his former Imprisonment.

The Day he went from Dorchester to Lyme, after he had received the News of his Death the next day, he was in the same serious Chearfulness, declaring still the same Apprehension of the Desirableness of Death, and the great Supports of his Mind under the thoughts of so sudden passing through it, alone from the Hope of the Security of his Interest in Christ; taking leave of his Friends with this Farewell, Tho' we part here, we shall meet in Heaven. Passing by his Estate, going to Lyme, he said, Farewell Temporal Inheritance, I am now going to my Heavenly Eternal One. At Lyme, the Morning that he died, it appeared that he had the same Supports from God meeting Death with the same Chearfulness; and after he had prayed a while to himself, without any appearance of Reluctancy, yielded up his Spirit, Sept. 12, 1685.

## The Bloody Assizes.

A FURTHER ACCOUNT OF THE BEHAVIOUR OF MR. CHRISTOPHER BATTISCOMB, OF HIS LAST SPEECH AND PRAYER, IMMEDIATELY BEFORE HE SUFFERED AT LYME, THE 12TH SEPTEMBER, 1685.

He was a true Protestant to the last, well beloved among the Gentry of that Country: But it was his Fortune to be concerned with the Duke of Monmouth, and was very faithful to him to the last, during the time of the Bloody Assizes at Dorchester, where he received his Sentence of Death; he was divers Times sent for to the Chamber of the then L.C.J. and prompted with Offers of Life to betray some Gentlemen, which he always refused, saying he scorned to purchase his Life by such indirect Means; and he accordingly chose Death rather than Life; seeing it could not be purchased, but by such unworthy Means. The Day being come, he prepared himself, and received the holy Sacrament, walking down to the Place of Execution, with much Cheerfulness and Christian Courage, when he was mounting the Ladder, he smiled and said, I am not afraid of this, I am going to a better Place, from a poor and miserable World, to a Celestial Paradise, a Heavenly Jerusalem; I might have chosen, whether I would have undergone this Death, if I had hearkened to the L.C.J., but it was upon such unworthy Terms, that should I have accepted of my Pardon, it would have been troublesom to me; I die a true Protestant; I am in Charity with all Men: God preserve this Nation from Popery; the Lord bless you all. So taking his Leave of them he knew, after Prayer, he launched into Eternity.

A POEM ON A LADY THAT CAME TO MY LORD CHIEF JUSTICE, TO BEG MR. BATTISCOMB'S LIFE, SISTER TO ONE OF THE SHERIFFS IN THE WEST, WHICH HE DENIED.

Harder than thine own Native Rocks!  
To let the Charming Silvia kneel,  
And not one Spark of Pity feel:  
Harder than senseless Stones and Stocks!  
Ye Gods! What Showers of Pearls she gave!  
What Precious Tears! Enough to save  
A Bleeding Monarch from the Grave.

By every hapless Virgin Curst:  
Winter Blasts not more unkind;  
Deaf as the rugged Northern Wind  
By some Welsh Wolf in Murders nurst  
East thou Eyes? Or has thou none?  
Or are they worse than Marble grown?  
Since Marbles weep at Silvia's Moan.

## William Jenkyn.

Rebels stiff, and supple Slaves,  
All the Frantick World divide,  
One must stoop, and t'other ride;  
Cringing Fools, and Factious Knaves;  
Tho' falling on the Loser's Part,  
Gentle Death arrests my Heart,  
And has in honey dipt his Dart.

Life farewell, thou gaudy Dream,  
Painted o'er with Grief and Joys  
Which the next short Hour destroys;  
And drowns them all in Lethe's Stream:  
What blest Mortal would not die,  
Might he with me Embalmed lye,  
In Precious Tears from Silvia's Eye?

### HIS CHARACTER.

All that knew or saw him must own, Mr. Battiscomb was very much a Gentleman. Not that thin Sort of animal that flutters from Tavern to Play-house, and back again, all his Life; made up of Wig and Crevat, without one Dram of Thought in his Composition; but one who had solid Worth, well drest and set out to the World. His Body made a very handsom and creditable Tenement for his Mind; and 't had been Pity it should have lived in any other. He was pretty tall, well made, I think, inclining to Black; nor altogether unlike Mr. Benjamin Hewling, as he has been thought to resemble the Duke of Monmouth. He was Witty, Brave, exactly Honourable, Pious, and Vertuous: And if ever that Character belonged to any Man, it did eminently to Mr. Battiscomb, That he lived universally Beloved, and died as generally Lamented.

### Mr. William Jenkyn.

[William Jenkyn, or Jenkin, was the son of William Jenkyn, senior, a Presbyterian minister, born in 1613, who was prosecuted, together with Christopher Love, another Presbyterian, and others, by the Rump Parliament in 1651, Love being executed by them, and their crime being that of corresponding with Charles II. Jenkyn saved his life by an abject and servile petition to the Rump, which is set out in full in Roger L'Estrange's *The Observer*, No. 209, for 29th January, 1684-5. Jenkyn was not arrested for non-conformity until 2nd September, 1684, when he was sent to Newgate, where he died upon 19th January, 1685. His daughter caused the mourning rings to be distributed and the libellous inscription narrated below, not his son. Macaulay's rhetorical exaggeration of this case is best refuted by a perusal of the number

## The Bloody Assizes.

of the *Observer* in question. The newsletters do not mention Wm. Jenkyn, senior.]

His Father was sufficiently known, and his Circumstances hard enough, being seized only for his Opinion, and clapt up close in Newgate; where the Inconvenience of the Place and Want of the Exercise he formerly enjoyed, quickly killed him, as he used to say before his Confinement, 'twould certainly do if ever it happen'd. Thus was he required by that very Person, for whom with Mr. Love he ventured his Life so deeply, and so hardly escaped with it. 'Twas his inhumane Treatment which edged and animated his Son; and the Revenge of his Father's Blood may be presumed to have gone very far in pushing him on to engage his Life and Fortune in this undertaking, he having given Funeral Rings for his Father with this Posie, William Jenkyns, murder'd in Newgate. He was his Father's only Son, who had taken Care to have him educated suitable to his Ingenious Birth and Inclinations; he improved sufficiently in all useful Learning, and was now about one or two and Twenty. He and several Young Gentlemen rode down from London a little before the Duke landed, and were taken on Suspicion, and laid up in Ilchester Gaol, till the Duke himself came and relieved them. He continued in his Army till the Rout, when, if I mistake not, he got to Sea, and was forced back again with the Hewlings, or some others. He was condemned at the Bloody Assizes in Dorchester.

A friend discoursing to him at Dorchester about his Pardon, and telling him the doubtfulness of his obtaining it, he replied, Well, Death is the worst they can do, and I bless God, that will not surprise me, for I hope my great Work is done. At Taunton being advised to govern the Airiness of his Temper, telling him, it made People apt to censure him, as inconsiderate of his Condition, to which he answer'd, Truly, this is so much my natural Temper, that I cannot tell how to alter it; but I bless God I have, and do think seriously of my eternal Concerns; I do not allow my self to be vain, but I find Cause to be chearful, for my Peace is made with God, through Jesus Christ my Lord; this is my only Ground of Comfort and Chearfulness, the Security of my Interest in Christ; for I expect nothing but Death; and without this I am sure Death would be most dreadful; but having the good hope of this, I cannot be melancholy. When he heard of the triumphant Death of those that suffered at Lyme, he said, This is a good encouragement to depend upon God. Then speaking about the mangling of their Bodies, he said, Well, the Resurrection will restore all with great Advantage; the 15th Chapter of the first of the Corinthians is Comfort enough for all Believers. Discoursing much of the Certainty and Felicity of the Resurrection at another Time, he said, I will (as I think I ought) use all lawful Means for the saving of my Life, and then if God please to forgive my Sins, I hope I shall as chearfully embrace Death. Upon the Design of attempting an Escape, he said, We use this

## William Jenkyn.

Means for the preserving our Lives, but if God is not with us, it will not effect it; it is our Business first to seek to him for Direction and Success, if he sees good, with resigning our Lives to him, and then his Will be done. After the Disappointments, when there was no prospect of any other Opportunity, he spake much of the Admirableness of God's Providence in those Things that seem most against us, bringing the greatest Good out of them; for, said he, We can see but a little Way, God is only wise in all his Disposals of us; if we were left to chuse for our selves, we should chuse our own Misery. Afterwards discoursing of the Vanity and Unsatisfyingness of all Things in this World, he said, It is so in the enjoying, we never find our Expectations answered by any thing in it, and when Death comes it puts an End to all Things we have been pursuing here: Learning and Knowledge (which are the best Things in this World) will then avail nothing; nothing but an Interest in Christ is then of any Worth. One reading to his Fellow-Prisoners, Jer. 42. 12. I will shew Mercy unto you, that he may have Mercy upon you, and cause you to return to your own land; he said, Yes, we shall, but not in this World, I am persuaded. September 29th at Night, after he heard he must die the next Morning, he was exceedingly composed and chearful, expressing his Satisfaction in the Will of God: The next Morning he was still more Spiritual and chearful, discovering a very sweet Serenity of Mind in all that he said and did: Whilst he was waiting for the Sheriff, reading the Scriptures, meditating and conversing with those about him of Divine Things, amongst other Things, said he, I have heard much of the Glory of Heaven, but I am now going to behold it, and understand what it is. Being desired to disguise himself to attempt an Escape, he said, No, I cannot tell how to disturb my self about it, and methinks it is not my Business, now I have other Things take up my Thoughts; if God saw good to deliver me, he would open some other Door; but seeing he has not, it is more for the Honour of his Name we should die, and so be it. One saying to him that most of the Apostles died a violent Death, he replied, Nay, a greater than the Apostles, our Lord himself died, not only a shameful, but a painful Death. He further said, This Manner of Death hath been the most terrible Thing in the World to my Thoughts, but I bless God, now am I neither afraid nor ashamed to die. He said, The parting with my Friends, and their Grief for me, is my greatest Difficulty; but it will be but for a very short Time, and we shall meet again in endless Joys, where my dear Father is already enter'd, him shall I presently joyfully meet. Then musing with himself a while, he with an extraordinary Seriousness sung these two Verses of one of Herbert's poems.

Death is still working like a Mole,  
Digging my Grave at each Remove,  
Let Grace work so, and on my Soul  
Drop from above,



## The Bloody Assizes.

Oh, come! For thou dost know the Way;  
Or if to me thou wilt not move,  
Remove me where I need not say,  
Drop from above.

He then read the 53rd of Isaiah, and said, He had heard many blessed Sermons from that Chapter, especially from the 16th Verse, All we like Sheep have gone astray, we have turned every one to his own Way, but the Lord hath laid on him the Iniquities of us all; seeming to intimate some impress made on his Soul from them, but was interrupted; then he said, Christ is all: When the Sheriff came, he had the same Chearfulness and Serenity of Mind in taking Leave of his Friends, and in the Sledge, which seemed to increase to the last (as those present have affirmed) joining in Prayer, and in singing a Psalm with great Appearance of Comfort and Joy in his Countenance, in so much that some of his enemies (that had before censured his Chearfulness for Unthoughtfulness of his Danger, and therefore expected to see him much surprized) now professed they were greatly astonished, to see such a Young Man leave the World, and go through Death as he did.

MR. JENKYN'S LETTER TO MRS. SCOT, ON THE 26TH OF SEPTEMBER,  
1685.

Dear Sister,

The News which came in my Brother's Letter of the 22nd Instant to Mr. Dewy, did not at all surprise me, for indeed I expected no other; and seeing all Hopes of saving my Life blasted I thought my self bound to write a Line or two to so near a Relation as your self, wherein I might take my leave of you, and bid you farewell, till we shall meet again in Glory, and never be separated more: As for my own Part, tho' such a Sort of Death as I am like to suffer, be that which I always dreaded, when at a Distance I have sometimes thought of it, yet I thank my God now it draws near, even but a few hours of it, I find my self supported under the Thought of it, and hope by his Strength, who will never forsake his own, I shall be enabled chearfully to undergo it with Glory to his Name, and Comfort to my own, and the Souls of others that are more nearly concerned for me; and as I have made it my own Endeavour to submit to the Will of God in this sad Dispensation without murmuring or repining, I hope you have been sensible of your Duty in the same Respect, which is, patiently to submit to his Will, and eye his Hand in this severe Stroak: And tho' God has been pleased to deny Success to your Endeavours for the saving of my Life, yet I am satisfied nothing has been wanting on your Parts; and for all the trouble you have been at on my Account, tho' I do not live to shew my Gratitude, yet I render you my dying

## William Jenkyn.

Thanks, and beg your prayers for my Support in the last Moments of my Life. If you receive this before my Death, the certain Time of which I have not Notice of, pray remember my Love to my Brother, and Thanks for all Kindnesses; and as for my Young Relations, my Prayer for them shall be, That they may see more happy Days than I have done, and die a more peaceable, I cannot say more happy Death. And now, dear Sister, I take my Leave of you, and commit you to the Protection of that God, who has made every Thing beautiful in his Time, and will shew you the Meaning of this Providence, which now we do not understand, to whom I trust I am now going, and into the Enjoyment of whose Presence I doubt not but e're long you will meet, dear Sister.

Your affectionate Brother,

WILLIAM JENKYN.

MR. JENKYN'S LETTER TO HIS MOTHER, ON THE 29TH OF SEPTEMBER,  
AT 12 AT NIGHT, TAUNTON.

Dear and Honour'd Mother,

I Have even now received the News of Execution to Morrow, which, tho' I have so short Notice of, yet I hope I am prepared for it, and by God's Strength enabling me, I shall joyfully be carried through it: The Kindness you have been pleased to shew in your great Concern for me since I have been under this Trouble, as well as the Duty I owe to so near a Relation as your self, engages me to acquaint you with my present Condition for your Satisfaction, which truly is such, that I shall beg you to accept this present Letter for my last Farewel: And tho' this sad Providence cannot but be grievous to so near and affectionate a Relation as your self, yet I hope it already has, and still does, yield the peaceable Fruits of Righteousness to your self and me, who have been severely exercised with it: As for my own Part, I hope I can truly say, that God has by his Providence weaned me from the World, and made me willing to leave it, and to be dissolved, that I may be with Christ, which is far better: And now I am come to die; I hope I can truly say, I have nothing else to do but die; and having fought a good Fight, and justified my Course, I am now in Expectation of that Crown of Reward, which God the Righteous Judge of the whole Earth has promised to all those that live his Appearing and as it is my great work to be now every moment fitting myself for my great and last Change, so 'tis the Duty which belongs to you, and the rest of my dear Relations, to resign me up into the Hands of that God, whose I am, and to whom I am going, and not repine at his Righteous Will, which we ought quietly to submit unto. I bless God I die with a clear Conscience, and though I have deserved much worse at the Hands of God for my past Sins, than I am like to undergo, yet I count, with Respect to Man, I die a Martyr for the Pro-

## The Bloody Assizes.

testant Religion, and meerly for doing my Duty in opposing of that Flood of Popery, which seemed to be just overwhelming the Church and Interest of Christ in these Nations; and I wish that the Prudentialists of our Age, that have withdrawn their helping Hand from so glorious a Design, do not within a few Days feel the Smart they have deserved by this their Baseness. But being now just leaving the World, it's grievous to look back on those Things; wherefore, dear and honoured Mother, I take Leave of you also, hoping that I shall again meet with you in that Place of Happiness, where all Tears shall be wiped down from our Eyes, and we shall sorrow no more. I have nothing more to say, but to return you my dying Thanks for all the Trouble and Care you have been at for the saving my Life, which tho' God has not thought fit to make successful, yet my Thankfulness is equally due to you for your Endeavours, as if he had; therefore I shall end with the subscribing my self,

Dear Honoured Mother,  
Your Thankful and Dutiful Son,  
WILLIAM JENKYN.

MR. JENKYN'S LETTER TO MRS. GOURDEN, ON THE 30TH OF SEPTEMBER,  
1685, AT 4 MORNING, TAUNTON.

Dear Sister,

Though you are at a great Distance from my Eye, yet you are very near my Heart, so that to leave the World before I have wrote a Line or two to bid you farewell, and comfort you under this sad Providence, would be uncomfortable to me: I hope you have by this Time learnt how to welcome evil as well as good Tidings, and submit to the wise Disposer of all Things, who knows what is good for us, betler than we do for our selves: Tho' I question not but the News of my Death, especially in such a violent manner, as within a few Hours I am to suffer it, will be afflictive to you; yet I would beg you to consider the Happiness which I am gone to, but a few Years sooner taken out of a wicked and troublesom World unto the Quire of triumphant Martyrs in Glory, which Place of Happiness, tho' I have not deserved by any thing of my own Merits, yet for the Merits of my Mediator and Saviour, who has purchased more for me, than can enter into my Heart to conceive, I doubt not but to have a Mansion prepared for me in that Place, where the Wicked cease from troubling, and the Weary are at Rest. And now, dear Sister, I have nothing more to do in this World, but to be preparing and fitting my self for this Place of Rest, which within a few Hours I am going to. I therefore leave you and yours to the Protection and Blessing of God, who is able to keep and support you under this and all other his afflictive Providences, and bring a good Issue out of them; and who will in his own good

## Mrs. Lisle.

Time conduct you safe to that Place of Happiness, where you will meet alone for Christ's Sake,

Dear, Dear Sister,  
Your Loving and Affectionate Brother,  
WILLIAM JENKYN.

Pray remember my Love and Respects to my Brother, and all that enquire after me.

### HIS CHARACTER.

He was a very promising and ingenious young Gentleman; he had a great deal of ready Wit, and an extraordinary Briskness and Gaiety. He was a very good Scholar, had run through a Course of Philosophy; but his particular Inclination was to the Mechanical Part of it, wherein he had a very happy genius, and performed many pretty Things. He wrote very good clean Latin. He was indifferent tall, pretty thin, a fair Complexion, his Nose a little inclining to one Side, being hurt in his Infancy. He led a sober, vertuous Life, and dy'd a happy Death at Taunton, September, 30, 1685.

## Lady Lisle.

Had those Persons who suffered about Monmouth's Business fell only into the Hands of Cannibals, some of 'em, at least, had 'scaped better than they did from Jeffreys. Those more tame and civil Creatures would have spared the Old and Withered, though they had devoured the Young and Tender. But no Age, no Sex made any difference here; and as those who were just come into the World, Children and Girls of ten or a dozen Years old were refused Pardon; so those who were half out of it, would not be suffered to tumble into the Grave intire, tho', as Juvenal says of Priam, they had scarce Blood enough left to singe the Knife of the Sacrifices. An Instance of this was my Lady Lisle, of such an Age, that she almost slept on her very Trial, condemned for as small a Matter as has been known, by one of those dormant Laws, made only in Terrorem, but hardly ever executed, only for corresponding with Nelthorp [This is false], an out-law'd Person, and, as was pretended, giving him Shelter at her House, and Hicks, who brought him thither. For Hicks, he was not then convicted, nor in any Proclamation, and so 'tis a Question whether she could, even in Rigour of Law, deserve Death on his Account. For Nelthorp, he himself says in his last Speech, (That he was wholly a Stranger to that worthy Lady, neither did she, as he verily believes, know who he was, or his Name, till he was taken.) For this she was found Guilty, and lost her Head at Winchester. Her case was thought so hard, that the Honourable House of Parliament have

## The Bloody Assizes.

now revert her Judgment. At her Death she made the following Speech. [She made no speech at all.]

### THE LAST SPEECH OF THE LADY ALICIA LISLE.

Gentlemen, Friends, and Neighbours, it may be expected that I should say something at my Death, and In Order thereunto I shall acquaint you, that my Birth and Education was both near this Place, and that my Parents instructed me in the Fear of God, and I now die of the Reformed Protestant Religion; believing that if ever Popery should return into this Nation, it would be a very great and severe Judgment; that I die in Expectation of the Pardon of all my Sins, and of Acceptance with God the Father, by the imputed Righteousness of Jesus Christ, he being the End of the Law for Righteousness to every one that believes; I thank God through Jesus Christ, that I do depart under the Blood of Sprinkling, which speaketh better Things than that of Abel; God having made this Chastisement and Ordinance to my Soul. I did once as little expect to come to this Place on this Occasion, as any Person in this Place or Nation; therefore let all learn not to be high-minded, but fear: The Lord is a Sovereign, and will take what Way he sees best to glorifie himself, in and by his poor Creatures; and I do humbly desire to submit to his Will, praying to him, That I may possess my Soul in Patience. The Crime that was laid to my Charge, was for entertaining a Nonconformist Minister and others in my House; the said Minister being sworn to have been in the late Duke of Monmouth's Army; but I have been told, that if I had denied them, it would not all have affected me; I have no Excuse but Surprise and Fear, which I believe my Jury must make Use of to excuse their Verdict to the World. I have been also told, that the Court did use to be of Counsel for the Prisoner; but instead of Advice, I had Evidence against me from thence; which tho' it were only hearsay, might possibly affect my Jury; my Defence being but such, as might be expected from a weak Woman; but such as it was, I did not hear it Repeated again to the Jury; which, as I have been informed, is usual in such Cases. However, I forgive all the World, and therein all those that have done me wrong; and in particular, I forgive Colonel Penruddock, although he told me, that he could have taken these Men before they came to my House. And I do likewise forgive him, who desired to be taken away from the Grand Jury to the Petty Jury, that he might be the more nearly concerned in my Death. As to what may be objected in Reference to my Conviction, that I gave it under my Hand, that I had discoursed with Nelthrop; that could be no Evidence against me, being after my Conviction and Sentence: I do acknowledge his Majesty's Favour in revoking my Sentence; I pray God to preserve him, that he may long reign in Mercy, as well as Justice, and that he may reign in Peace; and that the Protestant Religion may flourish

## Matthew Bragg.

under him. I also return Thanks to God and the Reverend Clergy, that assisted me in my Imprisonment.

ALICIA LISLE.

### The Dying-Speech and Behaviour of Mr. Matthew Bragg.

And we begin with Mr. Matthew Bragg, who was a Gentleman, and descended from an Ancient and Good Family; he was bred an Attorney, in which he practised the Law: His Case being this; he happened to be upon the Road riding home to his House, being come from a Gentleman's House for whom he kept Courts. He, as before, being met with by a Party of Horse belonging to the Duke of Monmouth, who were going to search the House of a Roman Catholick for Arms, who lived two or three Miles from the Place they met him, they required him to go with them, and shew them the Way, he knowing the country better than they did; he desired to be excused, telling them, It was none of his Business, and besides had no Arms. But his Excuses signified nothing, they forced him amongst them, where they went; when being come, a Party enter'd the House, and searcht it: Mr. Bragg never dismounted, they being then satisfied, took him along with them to Chard, where then the Duke of Monmouth was. Being there, after having set up his Horse where he used to do, often having occasion there, he was much tampered with to engage in the Design, but he refused it; but the next Morning made haste out of Towne, not seeing the Duke at all; calling for his Horse, it was told him, That it was seized for the Duke's Service. So then he took his Cane and Gloves, and walked to his own House, which was about five or six Miles, and was no more concerned in the Affair, than that after the Duke's Defeat at King's-Sedge-Moore, some busie Person informeth, and requireth a Warrant from a Justice of Peace for the said Mr. Bragg, who obliged himself to enter into a Recognizance to appear at the next Assizes; the said Justice accounting the Matter in it self but trivial; and indeed all Men did judge him out of Danger. At Dorchester he appeared in Court to discharge his Bail, on which he was presently committed, and the next day being Arraigned, pleading Not Guilty, put himself on the Trial of God and his Country, which found him and 28 more of 30 Guilty; the Lord Chief Justice often saying, If any Lawyer or Parson came under his Inspection, they should not escape; the Evidence against him was the Roman Catholick, whose House was searcht, and a Woman of ill Fame to whom the L. Chief Justice was wonderfully kind; but his Evidence, which were more than Twenty, to prove his Innocence, signified nothing, the Jury being well instructed by my Lord Chief Justice. Being thus found Guilty, Sentence was presently pronounced, and Execution awarded, notwithstanding all the Interest that was made for him, as before recited.

## The Bloody Assizes.

Thus being condemned on Saturday, and ordered to be executed on Monday, he spent the Residue of his little Time very devoutly, and much becoming a good Christian, and a true Protestant of the Church of England, all which availed nothing with this Protestant Judge. He was frequently visited by a worthy Divine of the Church of England, who spent much Time with him, and received great Satisfaction from him. The said Divine told me, That his Deportment, Behaviour and Converse was so much like an extraordinary Christian, that he could not in the least doubt but this violent Passage would put him into the Fruition of Happiness. He wisht and desired a little longer Time, but of no other Design, but thoroughly to repent of his Sins, and make himself more sensible of, and fit for to receive the Inheritance that is prepared for those that continue in well-doing to the End. When he came to the Place of Execution with great Courage and Resolution, being, as he said, prepared for Death, he behaved himself very gravely and devoutly. Being asked, when he was on the Ladder, Whether he was not sorry for his being concerned in the Rebellion? He replied, That he knew of none that he was guilty of; and prayed them not to trouble him; adding, He was not the first that was martyr'd; he was so much a Christian as to forgive his Enemies. And after some private Devotions he suddenly was translated, as we have all Hopes to believe, from Earth to Heaven. The only Favour of this Protestant Judge was, to give his Body to his Friends, in Order to its Internment amongst his Ancestors.

### The Behaviour of Mr. Smith, Constable of Chardstock.

Another Eminent Person that suffered with him at the same Time and Place, was one Mr. Smith, who was Constable of Chardstock, who having some Monies in his Hands that belonged to the Militia, which came to the Knowledge of some of the Duke's Friends, they obliged him to deliver it to them, which he was forced to deliver; and for this was indicted for High-Treason, in assisting the Duke of Monmouth. To which he pleaded Not Guilty. The Evidence against him were the same with those that had been against Mr. Bragg. The said Mr. Smith informed the Court and the Jury, what little Credit ought to be given to the Evidence. The Lord Chief Justice thundered at him, saying, Thou Villain, methinks I see thee already with a Halter about thy Neck! thou impudent Rebel, to challenge these Evidences that are for the King. To which the Prisoner replied very boldly, My Lord, I now see which Way I am going, and right or wrong I must die; but this I comfort my self with, that your Lordship can only destroy my Body; it is out of your Power to touch my Soul. God forgive your Rashness; pray, my Lord, know it is

## Smith and Speed.

not a small Matter you are about, the Blood of Man is more precious than the whole World. And then was stopped from saying any more. The Evidences being heard, a strict Charge was given the Jury about him. To be short, the Jury brought him in Guilty; so that he with the rest received the Sentence of Death all together, and were executed on Monday; but by particular Order from my Lord, he was ordered to be first executed. The Day being come for Execution, being Monday, he with a Courage undaunted, was brought to the Place, where with Christian Exhortations to his Brethern that suffered with him, he was ordered to prepare, being the first to be executed, where he spake as followeth: Christian Friends, I am now, as you see, launching into Eternity; so that it may be expected I should speak something before I leave this miserable World, and pass through those Sufferings, which are dreadful to Flesh and Blood; which indeed shall be but little, because I long to be before a Just Judge, where I must give an Account, not only for the Occasion of my Sufferings now, but for Sins long unrepented of, which indeed hath brought me to this dismal Place and shameful Death. And truly, dear Country-men. having ransacked my Soul, I cannot find my small Concern with the Duke of Monmouth, doth deserve this heavy Judgment on me; but I know, as I said before, it is for Sins long unrepented of; I die in Charity with all Men; I desire of all you to bear me Witness, I die a true Professor of the Church of England; beseeching the Lord still to stand up in the Defence of it. God forgive my passionate Judge, and cruel and hasty Jury; God forgive them, they know not what they have done. God bless the King; and though his Judges had no Mercy on me, I wish he may find Mercy when he standeth most in Need of it: Make him, O Lord, a nursing Father to the Church; let Mercy flow abundantly from him, if it be thy Will, to those poor Prisoners, to be hereafter tried; and, Lord, if it be thy Holy Will, stop this Issue of Christian Blood, and let my guiltless Blood be the last spilt on this Account. Gentlemen all, fare well, fare well all the Things of the World: Then singing some few Verses of a Psalm, and putting up some private Ejaculations to himself, said, O Lord into thy Hands I commend my Spirit, and so submitted to the Executioner, Sept. 7, 1685.

### The Behaviour and Dying-Speech of Mr. Joseph Speed of Culliton.

At the same Time and Place, as he came near the Place of his Execution, he spying his Country man and Friend, called him and said, I am glad to see you here now, because I am not known in these Parts; being answered by his Friend, I am sorry to see you in this Condition: He replies, It is the best Day I



## The Bloody Assizes.

ever saw; I thank God I have not led my Life as Unchristianlike as many have done, having since the Years of 16 always had the Checks of Conscience on me, which made me to avoid many gross and grievous Sins; my Course of Life hath been well known to you, yet I cannot justifie my self; all Men err. I have not been the least of Sinners, therefore cannot excuse my self; but since my Confinement I have received so great Comfort, in some Assurance of the Pardon of my Sins, that I can now say I am willing to die, to be dissolved, and to be with Christ, and say to Death, Where is thy Sting? And to Grave, Where is thy Victory? Being ask'd by some rude Soldiers, Whether he was not sorry for the Rebellion he was found guilty of? He courageously replied, If you call it Rebellion, I assure you I had no sinister Ends in being concerned; for my whole Design in takeing up Arms under the Duke of Monmouth, was to Fight for the Protestant Religion, which my own Conscience dictated me to, and which the said Duke declared for, and had, I think, a lawful Call and Warrant for so doing, and do not question, if I have committed any Sin in it, but that it is pardoned: Pray, Mr. Sheriff, let me be troubl'd no more in answering of Questions, but give me Leave to prepare my self (those few Minutes I have left) for another World, and go to my Jesus, who is ready to receive me: Then calling to his friend, who stood very near him, said, My dear Friend, you know I have a dear Wife and Children, who will find me wanting, being somewhat incumbered in the World, let me desire you as a Dying Man, to see that She be not abused; and as for my poor Children, I hope the Father of Heaven will take Care of them, and give them Grace to be dutiful to their distressed Mother; and so with my dying Love to all my friends, when you see them, I take leave of you, and them, and all the World, desiring your Christian Prayers for me to the last Moment; then repeating some Sentences of Scripture, as Colossians, Chap. 3. V. 1, 2—If you then &c. and praying very fervently, said, I thank God I have Satisfaction; I am ready and willing to suffer Shame for his Name: And so pouring forth some private Ejaculations to himself, and lifting up his Hands, the Executioner did his Office: The Soldiers then present said, They never before were so taken with a Dying Man's Speech; his Courage and Christian-like Resolution, caused many violent Men against the Prisoners. to repent of their Tyranny towards them; some of whom in a short Time died full of Horror: And thus fell this good Man, a true Protestant, and one that held out to the End.

### An Account of those that suffered at Bridport and Lyme.

At Bridport one John Sprage, who was a very good Man, and behaved himself with a great deal of Christian-like Courage

## Bridport and Lyme.

to the end: His Speech and his Devotions &c. must be omitted, not being possible to take them, by Reason of the Rudeness, &c., and the Shortness of the Time allowed him by the Soldiers.

With Mr. John Sprage there were executed Twelve in the County of Dorset. Mr. John Sprage of Lyme, a Man more fit to die, than he that condemned him was fit to live: He was a zealous Christian, and a Man that in a Manner lived in Heaven while on Earth; he was but of an ordinary Estate in this World: but to be short, his Praise, his Worth, his Fame will never die in those Places where known; he went about doing good, even in his worldly Employments, as I have been credibly informed; hardly any thing coming that Way, but what his Spiritual Meditations were upon. He was apprehended near Salisbury, brought to Dorchester, where I saw him several Times, and was conversant with him before his Trial; he carried himself very moderately to all; some of divers Principles in Matters of Religion, he continually prayed with them, advising and instructing them to those holy Duties which were necessary to Salvation. Being asked, how he could endure those Hardships he had undergone since his being taken? Says he, If this be all, 'tis not so much; but my Friend, if you were to take a Journey in those Ways you were not acquainted with, you would (I hope) desire Advice from those that had formerly used those Ways, or lived near by them: Yes, says he: Then said he, The Ways of Affliction which I have lately travelled in, I had Advice many a Time from a Minister, who hath often told his Congregation of the Troublsomness of the Road, and of the Difficulty of getting through; and hath given me, and Hundreds of others to understand the Pitts and Stones in the Way, and how to avoid them; he has been a Man used to these Roads many Years: I have taken his Advice: I am got thus far on comfortably, and I trust shall do so to the End; I am not afraid to fight a Duel with Death, if so it must be: Now I thank God I can truly say, O Death where is thy Sting? And O Grave, where is thy Victory? Two or three Days after their Sentence they were drawn to Execution, but were very rudely and opprobriously dealt with, to the Shame of those that then had the Charge over them; their Rigor unto them was more like Turks than Christians. But to conclude, being come to the Place of Execution, he prayed very devoutly with them all, but by the rudeness of the Guards, there could be no Copy taken to be said to be true: All of them died very couragious, especially this stout Christian Champion, who spake to them in these Words, (looking on the Soldiers) saying, Little do you think that this very Body of mine, which you are now come to see cut in pieces, will one Day rise up in Judgment against you, and be your Accuser, for your Delight in spilling of Christian Blood; the Heathens have far more Mercy: O 'tis sad, when England must out-strip Infidels and Pagans! But pray take Notice, don't think that I am not in Charity with you; I am so far, that I forgive

## The Bloody Assizes.

you and all the world; and do desire the God of Mercies to forgive you, and open your Hearts, and turn you from Darkness to Light, and from the Power of Satan to the Lord Jesus Christ; and so Farewel. I am going out of the Power of you all; I have no Dependence but upon my Blessed Redeemer, to whom I commit my dear Wife and Children, and all the World.

The next Place was Lyme, where many of Note died, particularly Col. Holmes, who was the first of those there executed, near the same Place where they landed, when they came a-Shoar with the Duke of Monmouth, being brought to the place after some Difficulty; for the Horses that were first put into the Sledge would not stir, which obliged those concerned to get others, which they did from the Coachman, who had that Morning brought them to Town; when they were put into the Sledge, they broke it in Pieces, which caused the Prisoners to go on Foot to the Place of Execution; where being come, as I told you before, the Colonel began thus at the foot of the Ladder; he sat down with an Aspect altogether void of Fear, but on the contrary with a kind of smiling Countenance, so began to speak to the Spectators to this Purpose, That he would give them an Account of his first Undertaking in the Design, which was long before in London; for there he agreed to stand by, and assist the D. of Monmouth, when Opportunity offered; in Order to which he went to Holland with him, and there continued until this expedition, in which God had thought fit to frustrate his and other good Mens Expectations: He believed the Protestant Religion was bleeding, and in a Step towards Extirpation, and therefore he with these his Brethren that were to suffer with him, and Thousands more, had adventured their Lives and their All to save it; but God Almighty had not appointed 'em to be the Instruments in so glorious a Work; yet notwithstanding he did verily believe, and doubted not, but that God would make Use of others, that should meet with better Success, tho' the Way or Means was not yet visible, but of this he did not doubt: He also was satisfied of the Duke's Title, so that Matter did not afflict him on Account of his engaging on his Score: And going on further with a Discourse of this Nature, he was asked by a Person, Why he did not pray for the King? He with a smiling Countenance answered, I am sorry you do not yet understand the Difference between Speaking and Praying: And having ended his Discourse, he then prepared himself by Prayer for his Dissolution, which was very Devout and Pious for half an Hour; which was as follows.

[Abraham Holmes had served in Scotland under General Monck, but being a fierce fifth monarchy man was, in common with the Anabaptists, expelled from Monck's army in 1659. In the following year, 1660, he was imprisoned for taking part in a plot to assassinate the King, and was again arrested both in 1662 and 1664. On the last occasion he was in prison at Windsor until 1667, but was never brought to trial. When Argyle escaped

## Abraham Holmes.

from prison in 1681, Holmes harboured him and afterwards acted as his agent. He was, of course, involved in the Rye House plot, and was again arrested on 28th June, 1683. On examination he confessed the plot and admitted the complicity in it of Argyle, Monmouth, Lord William Russell, and Lord Grey, the depositions still being extant. His confession saved him from trial, and he later on made his way to Holland and accompanied Monmouth to England. Holmes was a fierce and courageous fanatic. Lord Lonsdale wrote of him:—

“The courage of this Major was remarkable. He had his arm broke in the battle (of Sedgmoor), was brought up to London, had his life offered him by the King if he would promise to live quietlie and endeavour no disturbance. His answer was that his principles had ever been republican, as thinking that form of government best for the nation, that he was still of that mind, that he was now an old man and his life as little worth asking as 'twas worth his Majesties giving, and 'twas indifferent to him whether his Majestie pardoned him or not. He was, therefore, sent into the countrie and hanged.”

Tutchin's story of the horses refusing to draw Holmes to execution is probably nothing better than a distorted account of an ordinary accident to the sledge on which the prisoner was drawn to execution, and the rest of the tale was equally exaggerated.]

### COLONEL HOLMES' LAST PRAYER.

Most Glorious, most Great, and most Merciful God, there is none in Heaven or in Earth that is like unto thee: Heaven is thy Throne, and the Earth is thy Footstool; who shall say unto thee, What doest thou? Here we are poor deplorable Creatures come to offer up our last Prayers and Services unto thee; we beseech thy Favourable Ear to our Prayers, and the Comfort of thy Holy Spirit, at this Time; we praise and magnifie thy Name, for all the Dispensations of thy Providence towards us, especially for this thy Providence, in bringing us to this Place, and at this Time, to suffer Shame for thy Name: Help and assist all of us to submit to thy Will patiently. Pardon all our Sins, remove them out of thy Presence as far as the East is from the West, and accept of us in the Merits of thy Son Jesus Christ; thou who art the Searcher of Hearts, and Trier of Reins, let there not at the Moment of Death be the least Spark of Sin indwelling in us, nor the strivings of Flesh and Blood, that may hinder us from a joyful Passage unto thee: Give us Patience also under these Sufferings, and a Deliverance to all others from undergoing them, and in thy good Time work a Deliverance for poor England, let thy Gospel yet flourish among them, hasten the downfall of Anti-christ, we trust the Time is come; prevent, O Lord, this Effusion

## 'The Bloody Assizes.

of Christian Blood; and if it be thy Will, let this be the last: Lord, bless this Town, let them from the highest to the lowest set the Fear of God before their Eyes: Bless all Sorts and Conditions of Men in all Ranks and Qualities, pardon all their Sins, give them all true Repentance, and the Grace of the Holy Spirit; fit and prepare us for the chearful Fulfilling of thy Holy Will; let the Comforter be still with us, be merciful to all our Friends, and Relations, and Acquaintance; forgive our Enemies, accept of our Thankfulness for all the Mercies and Favours afforded us, and hear, and graciously answer us in these our Requests, and what else thou knowest needful and expedient for us, and all for our Redeemer the Lord Jesus Christ his Sake; who died for us, that we might reign with him for ever and ever; to whom with thee and thy Blessed Spirit of Grace be ascribed, as is most due, all Honour, Glory, and Praise, both now and for ever.

After having ended his Prayer, He took occasion to speak to his suffering Brethern, taking a solemn Leave of them, encouraging them to hold out to the End, and not to waver, observing that this being a Glorious Sun-shining Day, I doubt not, though our Breakfast be sharp and bitter, it will prepare us, and make us meet for a comfortable Supper, with our God and Saviour, where all Sin and Sorrow shall be wiped away; so embracing each of 'em, and kissing of them, told the Sheriff, You see I am imperfect, only one Arm, I shall want Assistance to help me upon this Tragical Stage; which was presently done, and Execution suddenly followed.

He with Eleven more were brought from Dorchester to Lyme, Six in a Coach, and Six in a Cart, as he was drawn through the Town, he chearfully beholding the People, advised them not to be discouraged at their severe Deaths; for that though it was their hard Fortunes to lose the Day in so good a Cause, yet he questioned not but it would be revived again, and by such Means as he nor they could not imagine; God, I hope and trust, will never let this Nation to fall into Popery. Being brought to the Inn where they stopped near two Hours, until the Butchers had prepared every Thing for the Slaughter, they were visited by a very Worthy Divine and Vicar of that Town, who offered them those Spiritual Helps, usual in those Occasions, which some of them embraced, and others not; their Principles being different from the Church of England. The Jaylor speaking to Colonel Holmes to 'knock off his Irons, he said, Great Men of State wear Chains, and 'tis accounted for their Honour, but though there is a vast Difference between those Golden ones and mine, yet I take mine to be more honourable, as that good Apostle said, he accounted it an Honour to suffer Shame for his Master's Name; the Sledge being in readiness they prepared to enter it; but alas! Who should draw such Men to Execution? Though Men were so bloody, the very Beasts refused to draw them; and instead of going forward, they went backwards, and could by no Means make them

## Sampson Larke.

do it, which so intraged some Persons, that they took the Coach-Horses out of the Coach, and placed them to the Sledge; but presently the Sledge broke in Pieces; then spake this worthy good Man: Pray, Gentlemen, you see all your Strivings will not do to draw us to Execution, I verily believe there is more in it than you are aware of; pray read about the Prophet, that went out of God's Way, his Beast saw that he could not.

Give us Leave, and we will walk to the Place; being there come, the Colonel prepared first to mount that Tragical Stage, the Heads of his Speech you have before; imbracing his Fellow-Sufferers, and kissing them, and giving them some ghostly Comforts; he desired help of the Sheriff to go up the Ladder, having but One Arm, and the Gallows higher than ordinary, which was granted; And in a short Time After the Executioner did his Office.

Col. Holmes in his Prayer not mentioning the King, he was charged as before; to which he replied, he prayed for him in general, praying for all Mankind. Thus fell the Valiant and good Christian, Col. Holmes; his Dying-Words we have now found come to pass, he was much lamented by all that saw him, except by some, that, 'tis feared, are delivered up to a seared Conscience.

### Now follows the Execution of Mr. Sampson Larke.

Mr. Sampson Larke, who was a very eminent, pious Man, and had lived in that Town but little before many Years; he was there well acquainted, and all People that knew him had a Value for him, behaving himself with that Humility and Circumspection, as no Body could have any other Occasion but to value him: He designed to have spoken somewhat on a Portion of Scripture, and was beginning, having mentioned the Place he intended to speak upon, but was interrupted, and told, the Work of the Day being great, they should want Time. So then he stopt, and replied, He could make Application where he should not meet with Interruption: And so applied himself to Prayer, which he performed with a great Devotion and Zeal for a Quarter of an Hour, to the great Satisfaction of the Auditors; and so taking Leave of his suffering Brethern, he mounted the Stage, which was to be the last Act he made in this World; being on the Ladder, he saw some of his Friends and Neighbours weeping and mourning for him, to whom he spake, Pray weep not for me, I am going to a Place of Bliss and Happiness, wherefore pray repair to your Houses, and e'er you get thither, I doubt not but I shall be happy with my God and Saviour, where all tears shall be wiped away, and nothing shall remain but Hallelujahs to all Eternity.

There was also Mr. William Hewling of London, a young Gentleman under Twenty, who came over with the Duke of Monmouth, he seemed to be in a calm and composed Frame of Spirit, and with a great deal of Courage and Seriousness he behaved

## The Bloody Assizes.

himself. There is already something said of his Converse and Discourse, which amongst others is Printed; therefore we shall say nothing more of him, but that in all Manner of Appearance he died a good Christian, a true Protestant, and doubtless now enjoys the Benefit of it. There were several worthy Gentlemen more there executed, viz. Mr. Cristoph Battiscomb, Dr. Temple, Capt. Madders, Captain Matthews, Captain Kid, &c. in all Twelve, who all of them died with that Courage and Resolution as became Christians, and such who eminently had adventured their Lives and Fortunes in Defence of what was most dear to them; and namely our Religion, which though God did not think fit to defend and secure it, yet in his Wisdom we hope it will be in some Measure secured by other Instruments, the Glory of the same being only due to him. So that now leaving this Place, we Proceed to other Parts of the Country, where with the like Butchery were only Five executed, amongst whom was one Mr. Tyler of Bristol, who had had Command in the Duke's Army, where he behaved himself very stoutly to the last; after the Army was dispersed, he among others was taken, received Sentence of Death at Dorchester, and here brought for the Completion of the same, and from thence we hope was translated to Heaven. He spent his Time between the Sentence and Execution very devoutly, in confirming and strengthening those that were to be his Fellow-Sufferers; and made it his Business to bring them to a Willingness to submit to, and a Preparedness for Death; The Day being come, and he brought to the Place of Execution, he thus spoke, My Friends, you see I am now on the Brink of Eternity, and in a few Minutes shall be but Clay; you expect I should say something, as is usual in such Cases, as to the Matter of Fact I die for, it doth not much trouble me, knowing to my self the Ends for which I engaged with the Duke of Monmouth were both good and honourable. Here being stopp'd, and not suffered to proceed further, he then comforted his Fellow-sufferers, desiring them to join with him in singing an Hymn, which he himself Composed for the Occasion as follows. [?]

### A Hymn made by Mr. Joseph Tyler a little before his Execution.

1.

O Lord, How Glorious is thy Grace,  
And wondrous large thy Love;  
At such a dreadful Time and Place,  
To such as faithful prove!

2.

If thou wilt have thy Glory hence,  
Though a shameful Death we die,  
We bless thee for this Providence,

## Tyler's Hymn.

3.

Let these Spectators see thy Grace  
In thy poor Servants shine;  
While we by Faith behold thy Face  
In that bless'd Son of thine.

4.

Though Men our Bodies may abuse,  
Christ took our Souls to Rest;  
Till he brings forth the joyful News,  
Ye are my Father's Blest.

5.

Appear for those that plead thy Cause,  
Preserve them in the Way,  
Who own King Jesus and his Laws,  
And dare not but obey.

6.

O God confound our cruel Foes,  
Let Babylon come down;  
Let England's King be one of them  
Shall rase her to the Ground.

7.

Through Christ we yield our Souls to thee,  
Accept us on his Score;  
That where he is, there we may be,  
To praise thee ever more.

After the Hymn sung he prayed devoutly for half an Hour; after Prayer he gave great Satisfaction to all present of his Assurance of Heaven, had many weeping Eyes for him, and was much lamented in the Town, though a Stranger to the Place; so unbuttoning himself, said to the Executioner, I fear not what Man can do unto me; I pray thee do thy Work in Mercy, for I forgive thee with all my Heart, and I also pray to God to forgive thee; don't mangle my Body too much; and so lifting up his Hands to Heaven, the Executioner did his Office. There was also one William Cox that died with him, who also died very courageously, despising the Shame, in Hopes and Expectation of a future better Estate. He and his two Sons were some of the first that came to the Duke of Monmouth, and all taken, and all condemned together: The Father only suffered, the Sons by Providence were preserved. When he was going to Execution he desired Leave to see his Sons, then in another Prison in the Town, to whom he gave his Blessing; and though he was going to be executed, yet had that Satisfaction to hope that God would preserve them, which was so.



## The Bloody Assizes.

### Some further Passages relating to Mr. Sampson Larke, with his Prayer at the same Time and Place when Executed.

Immediately after Col. Holmes was executed this good Man was ordered to prepare to follow; accordingly going to deliver some few Words to the People, some whereof were formerly of his Congregation, but being told he could not expect much Time, because it was so late, and so many to be executed after him; so he suddenly concluded, and said, I will now speak a few Words to him which I am sure will hear me. And so began his Prayer as followeth :

Blessed Lord God, we thine unworthy Creatures now here before thee, cannot but acknowledge from the Bottom of our Hearts our own unworthiness; we must confess we have been grievous Sinners, and have brought forth the evil Fruit of it in our Lives, to the great Dishonour of thy Name, for which we have deserved thy heavy Wrath and Indignation to be poured forth upon us, not only in this Life, but in that which is to come.

O let us bless God for our Suffering and Afflictions, as well as for our Mercies, we bless thee in particular for this : O sanctifie it to us; let us be effectually convinced of the vanity of the World, and of our own Sinfulness by Nature and Practice, and to see that to be Sin which we never saw before; O Lord, make us sensible of the absolute Necessity of the Righteousness of Christ to justifie us, and let him be now made much more dear and precious to our Souls than ever, that so we may be wrought into a more heavenly Frame, and raised to a higher Degree of Spirituality, and so made more meek and humble; and let us judge charitably of others, that differ from us in Opinion and Judgment. And now, O Lord, though by thy most righteous Judgment we most justly deserve these Sufferings, and such an ignominious Death, for our Sins against thee, not for Treasons against the Kingdom, let us be in a Preparedness for it. Pardon all our Sins, help us quietly to submit to thy holy Will; speak Peace to all our Souls. Look in Mercy, O Lord, on this poor Nation, especially on this Town, and every particular Person in it; let them all mind those Things which concern their Peace, before they are hid from their Eyes. Comfort my dear and distressed Wife, be a Husband unto her, deliver her out of the Paw of the Lion, and the Paws of the Bear. Look upon all thy poor afflicted, Ones, all Prisoners and Captives, work Deliverance for them if thou seest it good; but thy Will be done in Earth as it is in Heaven. And now, Lord, with humble Meekness and Submission I submit to thy Will, depending upon the Merits of my Saviour, to whom with thy Blessed Self and Spirit be ascribed all Honour and Praise, both now and for ever, Amen.

Then mounting the Ladder he called to some of the Town who weeped for him, but were at some distance, Go Home to your own Houses, pray do not weep for me, and before you get up yonder Hill, I shall be with my Heavenly Father in Fulness of Joy and

## Larke's Letter.

Pleasure for ever more. And so advising those before him to leave off those cruel Sentiments they had taken of him, besides some heavenly Discourses with some of his Friends, he was turned off, to the great Grief of the good People of the Town, especially those of his own Congregation. To give him nothing but his Due, he was a Man mighty charitable, relieving and visiting the Poor and Needy, Preached in Season and out of Season, and made it his business to go about doing good, and to put poor Souls in a Way for eternal Life; he was an Old Christian, as well as Aged in Years; he was a general Loss, especially to his dear and tender Wife: But all our Losses are nothing to be compared to that Glory that he now enjoys.

### Mr. Sampson Larke's Letter to a Friend just before his Execution.

My dear Friend, I am ready to be offered, and the Time of my Departure is at hand; I have through Grace fought a good Fight, have finished my Course, and kept the Faith, and am in Hopes of the Crown of Righteousness prepared for me, and all God's Ones: The Experiences I have had of the Promises, hath given me comfortable Hopes that he will carry me to the full End of my Journey, with his Name, and that Truth of his, which I have made Profession of it. My great Crime is for my being a Preacher of the Gospel, and here I am to be made a Sacrifice, where I have mostly preached Christ's Gospel. I think my Judges have devised this Punishment of my Hurt, but I trust God will turn it to my Good; the great Trouble I have is for those good Hearts that I must leave behind me: but this is my Comfort, knowing that all such as fear God, he will be a Father to them. My dear Wife is greatly troubled, but through Mercy much supported, and something quieted; if any of you have Opportunity to give her Help, I hope you will do it. As for our confessing our selves guilty, it was expressly as to Matter of Fact, and not of Form; and this I did with some Freedom, and the rather, because all my worthy Brethren that went before me took that Way, and tho many Ways having been used to have a further Discovery, yet nothing of that Kind by any but only by Captain Jones. Since our Sentence, some wretched Men have been with us, to draw from us a Confession of our being Rebels, that we might have their Absolution. I bless God, he hath hitherto helped me to be faithful, and I hope he will not leave me in the most needful Time. I must conclude, being ready to be called away; my dear Love to all my Christian Friends, and especially those in the Gaol. The Lord be with you all, Amen. Your dying Friend, in Hopes of Eternal Life, through Jesus Christ, Amen.

From the House of my blessed Bondage in Dorchester,  
Septemb. 7, 1685.

SAMPSON LARKE.

# The Bloody Assizes.

## An Account of those Executed at Sherborn.

At Sherborn in the same County, were executed Twelve, who all died courageously, especially one Mr. Glisson of Yeovel, in the County of Somerset, his extraordinary Deportment and Carriage at the Place of Execution, was so very considerable, as gave great satisfaction to his Friends, and Amazement to his Enemies. He declared to the World that he was a true Protestant, and had not engaged with the Duke of Monmouth, but judged it high Time to stand up for the Defence of the same, though God Almighty had thought fit to frustrate his Designs, and to bring him to that Place to Seal the same with his Blood. Also John Savage, and Richard Hall of Culliton, in the County of Devon, suffered at the same Time and Place; in their particular Conversation they valued those most that they saw most of Piety in, and pitied others that they saw not so well prepared; saying, that the Remembrance of our Vanity may cause Compassion towards such as were in such a Condition; exhorting all to be serious, and to consider their latter end, which deserved the greatest Attention of Mind; the Way to die comfortably, being to prepare for it seriously and if God should miraculously preserve us from this Death now before our Eyes, it should be the Duty of us all to spend the remaining Part of our Time, in such a manner as now, when we see Death just at the Door. At the Hour of Execution their Chearfulness and Comfort was much increased, saying, Now the Will of God will be done, and he hath most certainly chosen that for us which is best; with many other such like Christian Expressions, too tedious here to be inserted, because we design to keep to our first Intentions, and not to swell this Treatise too big. Upon the whole, after they had with much earnestness recommended their Souls to the All-Wise God by Prayer, they all with much Content and Satisfaction submitted themselves to the Executioner, not doubting of a happy Translation, and accordingly were executed and quartered as before; the rest of the Executions in this County, as at Weymouth, Pool, Shafton, Wimborne, &c. not being there, we shall pass over, and only give you particular Touches, which we saw to our perfect Knowledge; and so we return to Culliton in the County of Devon, where John Sprague and William Clegg, both of that Town, were condemned at Exon, and there brought to be executed. Before they were brought into the Place, a Messenger came from the Prisoner's with a Request to the Vicar of the Parish, to desire his Company and Assistance in this their Extremity and to administer those Spiritual Helps that were suitable to Men in their Circumstances. Accordingly the said Minister came very readily, and did demand of them, What they had to desire of him? The dying Persons answered, They desired his Prayers. Accordingly he prayed with them a considerable Space of Time. And after that he asked of them several Questions, for to give him and the World Satisfac-

## Sherborne, Axminster, and Honiton.

tion of the prepared Condition they were in, in Order to their lanching into Eternity, especially about the Doctrine of Non-resistance. John Sprague very soberly and moderately replied, but whether satisfactory or not, we leave to the Reader : He believed that no Christian ought to resist a lawful Power ; but the Case being between Popery and Protestantism, altered the Matter ; and the latter being in Danger, he believed it was lawful for him to do what he did, though God in his Providence had thought fit to bring him to this Place of Execution. After reading a Chapter out of the Corinthians, and singing a Psalm suitable to the Occasion, he very vehemently and fervently recommended his Soul to the All-wise God by Prayer for near half an Hour, to the great Satisfaction of all that heard him ; then his Wife and Children coming to him, weeping bitterly, he imbraced them in his Arms, saying, Weep not for me, but weep for yourselves, and for your Sins, for that he had that quiet Satisfaction, that he was only going to be translated into a State of Bliss and Happiness, where he should sin and sorrow no more, but that all Tears should be wiped away, wishing them to be diligent in the Service of God. Then recommending his Wife and Children to the Protection of the Almighty God, who had promised to be Husband to the Widow, and a Father to the Fatherless, who was faithful and able to make up their Loss in him, in that which should be better for them than he could be ; desiring God to be a Refuge for them to fly to for Security and Preservation from the Troubles that seemed to threaten this poor Nation ; the which if they did conscientiously perform, though Death here made a Separation, he doubted not of meeting them in Heaven at last. And so the Executioner did his Office. During which Time his Brother-Sufferer, William Clegg, was all the Time on his Knees, praying to himself with a seeming Zeal ; suddenly after which, his Time being come to follow his Brother, he only told the People, That his Fellow-sufferer had spoken what he thought was necessary, and they were also his Sentiments. And so submitted to Execution.

### An Account of those Executed at Axminster and Honiton.

At Axminster one also was executed, his Name Mr. Rose, he was a Gunner that landed with the Duke of Monmouth, he had a great Resolution, and not at all startled with the Fear of Death. He said, That he defy'd Death and all them that were the Occasion of it. He was very couragious and died so. He spent some Time in private Prayer, and was not allowed Time, because there was to be Execution at Honiton ; so that his Execution being over, we past on to Honiton, where Four were executed, one of which was a Chyrurgeon, his Name, if I do not mistake, was Mr. Pott, who behaved himself with that extraordinary Christian Courage,

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that all the Spectators were almost astounded, he being but Young, about Twenty, his Prayers being fervent, his Expressions so pithy, and so becoming a Christian of greater Age, that drew Pity and Compassion from all present; a rude Fellow, just before he was to be executed, called for a Bottle of Wine, and so began the King's Health to One of the Guard, which he perceiving, Poor Soul, said he, your Cup seemeth to be sweet to you, and you think mine is bitter; which indeed is so to Flesh and Blood; but yet I have that Assurance of the Fruition of a future Estate, that I doubt not but this bitter Potion will be sweetened with the Sugar of the loving Kindness of my dearest Saviour, that I shall be translated into such a State, where is Fulness of Joy and Pleasure for evermore.

Before I conclude, one Mr. Evans a Minister ought not to be omitted, who did all along, in the Time of his Confinement in Prison, behave himself with that Devotion and Strictness, that became a Christian of great Eminency, as indeed he was; he spent much of his Time in Preaching and Praying to his Fellow-Prisoners, exhorting them to hold out to the End; he at last by Appointment being condemn'd, was executed by himself;<sup>7</sup> at which Time and Place he behaved himself with great Courage and Devotion, and with a great Willingness and Chearfulness he submitted to Execution. There might have been much more said of this worthy Man, but because we will keep to our Design, shall be omitted. Many others, who were also very Eminent, suffered in this County for asserting and endeavouring to secure the Protestant Religion.

### The Case of Mr. Simon Hamling.

Thus having finished what we have to say at present, shall only add the Case of one Mr. Simon Hamling at Taunton, to shew that sometimes Innocency will not protect. Mr. Hamling was formerly an Inhabitant of the Place, but of late years had lived two or three Miles from thence; he was a very honest, worthy, good Christian, but was a Dissenter, and indeed in the Judgment of some fiery Men, that might be Crime enough, as did too sadly appear in Divers Cases. But to our Purpose: Mr. Hamling living in the Country, hearing of the Duke of Monmouth's being in Town,

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<sup>7</sup> This is the Evans who escaped by a rope from Wells Cloisters. Writing on 2nd February, 1686, Henry Muddiman said: "I formerly told you of one Evans, a Nonconformist parson, who, having been taken in arms in Somersetshire, and condemned to hang with 5 others near Bristol, did, the night before the execution, break out with another of that lot from Wells cloysters. . . . We have now an account that he was taken lately in Devonshire, from whence he was sent back into Somersetshire, the county in which he was taken in rebellion, and was there executed according to sentence."

## Simon Hamlin.

he there came to speak with his Son, who lived in that Place; where being come, he gave him Advice, which was, That as he expected his Blessing and Countenance, he should not at all concern himself in the Matter, but submit to the Will of God in all Things. And having thus advised his Son, he returns home; and two Days after came again to Town on a Market-day with his Wife, to buy Provisions for his Family, and returned to his House again. And this was all the Times he was in Town while the Duke was there. But after the Business was over, he was brought in on Suspicion, being a Dissenter, that was Crime enough, except Coin appear'd to a Justice of that Town, who usually did commit or dismiss as that appeared. This Man was arraign'd at Taunton, pleaded Not Guilty. The Matter above is the Truth of this Case; the Evidences were two profligate Rascals, that had Incouragement from the Justice, they usually doing what he put them on. The Prisoner had many to prove this fact, and his Honesty; but this did not avail, the Jury found him guilty, with two more, who were presently sentenc'd, and next morning executed, to be Examples to others. It is said, that the Justice made Application to our famous Protestant Judge, and hinted some Mistake concerning him. To which, as I have been informed, he should reply, You have brought him on; if he be innocent, his Blood be upon you. Which was a very fine Reply from a merciful Judge; but nothing else could be expected, as the whole Treatise evinceth: The tender Mercies of the Wicked being cruel. This Man behaved himself very worthily at the Place of Execution, and did at the last declare his Crime to be the same as is above mentioned, and not otherwise. Thus fell this pious Christian, a Man by all sober People that knew him beloved, and disrespected by none but loose Villains, which at last took away his Life.

There was one Mr. Catchett [Gatchell] executed with him, his Crime, being a Constable of the Hundred, he was surprized by a Party of the Duke's, and shewed a Warrant to bring in Provisions and other Necessaries for the Use of the Army, which if he had not obey'd, was threatened to have his House burnt, &c., so that he was obliged to do what he did for his own preservation; but this was not sufficient, for being found guilty, he was also executed at the same Time and Place.

## The Case of Mr. Thomas Lawrence.

Mr. Thomas Lawrence at Dorchester, had also very hard Measure. He had the managing of an Estate belonging to a Person of Quality, who had a Barn in the Parish of Lyme, where the Duke landed. The Day after his landing a Party came and took away three Horses from off this Estate, which he having the Trust and Care of, makes Application to the Duke for them, adding, That he ought not to suffer any of his Master's Goods to be

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wanting, but must endeavour to recover them again. So mov'd hard to the Duke for the Horses, but all would not prevail; but at last had one, and was forced to leave two. This was look'd on as an abetting, being judg'd to be by Consent. After the Defeat was given, he was had before a Justice of the Peace, who bound him over to the Assizes, where appearing, he was committed; pleaded Not Guilty on his Trial, which he pleaded to very honestly, yet was found guilty, and sentenced to die. My Lord was excellent at Improvement, 'twas thought he would, if possible, have brought in the Gentleman that owned the Estate, who was very rich. This honest Mr. Lawrence was to be sacrific'd, and his Execution order'd to be at Warham, but my Lord's Favourite got a Reprieve for him by the Help of Four hundred Pounds, Two hundred Pounds being actually paid, the other secured by Bond.

I promised, before I conclude, to give some Account of the barbarous and cruel Whippings which were executed on many good, honest, and sufficient Persons, both Men and Women, in the Counties of Dorset, Devon and Somerset, by the severe and cruel Sentence of the Lord Chief Justice; some for such small Crimes, as an impartial Man may judge they deserved none at all: More especially one Mr. Stayle of Thorncomb in Devonshire, his Sufferings were so hard, that it caused many to pity him; he was a good Liver, well beloved among his Neighbours, and a true Protestant. Also one Mrs. Brown of Lyme suffered very dear in that Nature; she only jokingly said unto the Officer of the Excise, I will pay my Excise to King Monmouth; which being sworn before this severe Judge, she was found guilty of a Misdemeanour, was sentenc'd to be whipt in several Market Towns, which accordingly was done. But this Cruelty was not only extended to those of riper Years, and able better to endure those painful Sufferings, but even to Children. A poor Boy of Weymouth, in the County of Dorset, having got some Pamphlet relating somewhat to satisfy the People that the Duke of Monmouth came to secure the Protestant Religion, had the hard Fortune to take his Trial before this harsh Judge; I think he was about ten or twelve Years of Age; he had the Flesh of his Back so cut with the Whipping, that I heard he died with the same; but whether he is dead or not, never was such Cruelty in all this World. And now we may see how just the Lord is, he that all that Time had no Mercy for any but those that appeared loose Villains, is pitied but by few.

### Captain Madders' Last Prayer at the same Time and Place.

Captain Madders at the Time of the Duke's Landing was a Constable at Crewkern, in the County of Somerset, and so diligent and active for the King in his Office, that when two Gentlemen of Lyme came there, and brought the News of the Duke's Landing,

## John Madders, or Marders.

and desired Horses to ride Post to acquaint his Majesty therewith, he immediately secured Horses for them, the Town being generally otherways bent, and assisted them so far as any called loyal in those Times could do, which was represented to the Lord Chief Justice, in Expectation thereby to save his Life. But an Enquiry being made about his Religion, and returned by a very worthy Gentleman of those Parts, That he was a good Protestant, an honest Man, had a very good Character amongst his Neighbours: O then, says he, I'll hold a Wager with you he is a Presbyterian, I can smell them forty Miles. Though moderately I now say, they can smell him two hundred Miles West; then surely he must die, because he was, and had the Character of an honest Man, a good Christian, and a brave Tradesman. But to be short, I could say a great deal more of him, being immediately acquainted with him, and was with him to the very last. Being brought to the Place of Execution, he was the last Man except one executed, and he behaved himself, whilst the rest were executing, with great Zeal; and lifting up his Hands and Eyes, would often say, Lord, make me so willing and ready to the last. And God did hear his Prayers; for though he seemed to the Spectators to be somewhat unwilling to die, yet at the last he died with as much Assurance and Christian Resolution as any; for after his publick Prayer he came once down the Ladder, and prayed again privately, then mounted the Ladder again; the Sheriff saying, Mr. Madders, if you please you may have more Liberty; he answered, No, I thank you, Mr. Sheriff, now I am ready, I am willing, and desire to be dissolved, and to be with Christ. Oh! you cannot imagine what Comfort and Refreshment I have received in a few Minutes; my Comforts are so great that I cannot contain myself. So blessing and praising of God, he was translated, as I hope (we have no Grounds to imagine the contrary) from Earth to Heaven, repeating Rev. 20. 6. Blessed and holy is he that hath Part in the first Resurrection, on such the second Death hath no Power. His publick Prayer was as followeth.

O Eternal and ever blessed Lord God, look down upon me a miserable Sinner with an Eye of Pity and Compassion, in and through my dear Redeemer the Lord Jesus Christ. O Lord, I acknowledge my self a great and grievous Sinner; I have sinned against the clearest Light and the dearest Love; I have deserved to have been spurned from thy Presence, and from the Glory of thy Power, and that thou shouldest now say unto me, I will have no more to do with such an unworthy Wretch, such a polluted, filthy Creature as thou art, and hast been: But, O Lord, there is Mercy with thee that thou mayest be feared; and thou hast promised, that if a Sinner turn from his Wickedness, thou wilt have Mercy on him; and tho' his Sins were as Scarlet, thou wouldest make them white as Wool: Fulfil, O Lord, thy gracious Promise unto me, a poor Supplicant, in this my last Hour of my Life; purge and cleanse me from all Sin and Filthiness, give



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me true Repentance; and if there lyeth any Sin not yet repented of, O Lord, thou hast heard my Prayers, my Sighs and Groans; I hope and trust thou hast pardoned all my Sins, and wilt immediately receive my Soul. Look down in Mercy on my dear Wife and Family, be thou a Comfort, and all in all unto them. Now, Lord, I am coming to thee, assist me to the last Moment; comfort my distressed Soul; do more for me than I am able to ask for, or think of; but what thou knowest to be needful and necessary for me, in and through the Merits of my dear Redeemer, the Lord Jesus Christ, to whom with thee and thy blessed Spirit of Grace be ascribed the Kingdom, the Power and the Glory for ever and ever. Amen.

### The Dying-Words of Captain Kidd, Executed at the same Time and Place.

This Gentleman was the last executed at that Time; as soon as Captain Madders was turned off, he began to prepare to follow, and called to his Guards and those present, Do you see this? (pointing up to the Eleven that were dead before him) Do you think this is not dreadful to me, that Eleven of Twelve of us, that but a few Hours since came down together, are dead and in Eternity? And I am just going to follow them, and shall immediately be in the same Condition. Says one to him, It must be dreadful to Flesh and Blood. Says he, Well, Gentlemen, I will assure you, I am so far concerned, that methinks I bethink their Happiness, that they should be so long before me in Bliss and Happiness: But I'll make Haste to follow; I am satisfied this is the best Day that ever I saw: The Day of a Man's Death is said to be better than the Day of his Birth: And truly so I find it as to my Flesh, for I shall be presently free from Sin and Sorrow; I am satisfied God hath done his best for me: I might have lived and have forgotten God, but now I am going where I shall sin no more; 'Tis a blessed Thing to be free from Sin, and to be with Christ: O how great were the Sufferings of Christ for us, beyond all that I can undergo! How great is that Glory to which I am going! Then taking his Leave of the People then present, he prayed some small Time very devoutly, and with seeming great Joy and Comfort; and the Executioner did his Office.

There was executed also at the same Time divers others, as Mr. William Hewling, Dr. Temple, Mr. Matthews, with some others.

### The Last Speech of Dr. Temple, of Nottingham, at the Place of Execution.

Doctor Temple was one of them that Landed with the Duke, and was his Chief Physician and Chyrurgeon; he lived in Nottingham, but minding to see other parts of the World, (as I have

## Dr. Temple.

heard) goes for Holland, where he came acquainted with the Duke of Monmouth; concerning which he thus spoke, just as he was going off the Ladder.

Christian Friends, and Dear Countrymen,

I have somewhat to say, and not very much, before I depart from you, and shall be seen no more, And;

First, As to my Engagement with the Duke of Monmouth:

Secondly, How far I was concerned: And,

Thirdly, I shall leave all of you to be Judges in Matter of Fact: And so for the

First, As a dying Man I now declare, that when I entred my self with the Duke of Monmouth, to be his Chyrurgeon, it was on no other Account but to serve him in the West-Indies; where I knew no other Design whatsoever, but to possess himself of some of those Islands, until I had been at Sea two Days, wherein one privately told me, We are absolutely bound for England, and I should take it from him it was true: It much surprized me, but knowing no Way to avoid it, or to get on Shoar, though it was at that Time contrary to my Inclinations, if I could have avoided it, I would not let others see that I had that Dissatisfaction within me. After our Landing at Lyme, I knew it was never the nearer to attempt my Escape, the Country being so beset; on the other hand, if the Duke of Monmouth did win the Day, I might have raised my fortunes as high as I could expect: These were the Arguments that Flesh and Blood did create in my Breast for Self-preservation. While I was with the said Duke, I did him as much Service as I could, and faithfully: After it pleased God to disperse that Army under his Command, I endeavoured to secure my self, but by Providence was taken at Honiton, from thence committed to Exon, and after removed to Dorchester, where I received my Sentence, and am now, as you see, just going to Execution: The Lord prevent all of you from such ignominious Deaths; and I advise you all, that you never take any great Thing in Hand, but what you have A warrant for from the Lord: I assure you I had no Satisfaction in this; but this I am sure, that if I have done anything amiss in it, it is pardoned. I bless God I have that Satisfaction, I die a Professor of the Church of England, I desire Pardon of all those I have any ways wronged or abused, as I freely forgive all those that have wronged or abused me; I am in Charity with all Men. Lord, have Mercy upon me. give me Strength to go through these Pains, and give me full Assurance at this last Moment: Come, Lord Jesus, come quickly.

Also one Samuel Robbins of Charmouth in the County of Dorset, that was executed, or rather murdered, at Warham, in the said County: I cannot pass him by in Silence, his Case being so extraordinary hard, that to speak moderately betwixt the King and his Case, I do say this, that I verily believe never Man suffered innocenter; as I hope you will be satisfied in, after you have

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heard his Crime, and on what small Grounds he was found guilty, or so supposed, by my Lord Chief Justice.

He used generally in the Summer to use the Craft of Fishing, to get a competent Maintenance for his Family, and happened to be out at Sea a-fishing before Lyme that Day the Duke came in to land; and was commanded on board one of the Duke's Ships, he not knowing who they were, and they bought his Fish of him; after which they told him that was the Duke of Monmouth, pointing at him, and that he was just going to land: He desired to go on Shoar, which was refused, and told, that as soon as the Duke was landed he should have his Liberty; so accordingly he came on Shoar, and was never after with him, or ever took up Arms under him: I leave the Reader to judge whether this was High-Treason or no. This was all he was guilty of, except that he was a good honest Man, a zealous Christian, a Man of a very good Life and Conversation, as I think his Neighbours will attest it, in most Towns and Parishes where he lived: But alas he had a good Book in his House when taken, call'd, The solemn League and Covenant; this was the High-Treason he must be guilty of, which was aggravated to the Lord Chief Justice, by one or two hot Spirits his Neighbours. But to be short, he received Sentence of Death with great Courage, and not at all dismayed, saying very often in Prison before, If it pleased God to call him now (to glorifie his Name by this Providence of his) to Death, he should be ready; but (said he) I am as innocent of any thing I have done against any Man that may deserve this Punishment, as the Child now unborn. When he came to the Place of Execution, he very chearfully declared his Innocency to the Spectators, as before, and so praying very devoutly for some Time, he was executed: His Prayers I have no exact Copy of.

Also one Mr. Charles Speake of London, a Gentleman of good Extraction, being Son to the Worshipful George Speake Esq; near Illiminster in the County of Somerset, where he was executed: His case also was extraordinary hard; but there may be two great reasons given why he was executed; the first was, Because he came from that good Pious Family, which always have been opposers to Popery, and suffered deeply for their Courage that Way. Secondly, the said Mr. Charles Speake had purchased some great Place in the King's Bench, or Common Pleas, which was very profitable to him; so that by his Fall there being a Forfeiture, much Money may be made of it; all Intercession could not avail with the L.C.J. for his Life. He happened to be at Illminster at the Time of the Duke's being there, which was the greatest Crime he was guilty of; the Validity of his Evidence I leave to those in the West, which know how far it was carried that Way. He was a fine courteous loving Gentleman; and notwithstanding his Youth, he acted the Part of an old Christian Soldier at his Death, preparing himself to undergo those Pains, saying very often, "They were nothing to his Deserts from God Almighty; but as for what I am accused

## Speke and Perrot.

of, and sentenc'd for, I hope you will believe I am not so guilty as my Judge and Accusers have endeavour'd to make me: If it had pleased God I should have been willing to have lived some Time longer, but God's Time being come, I am willing, I will be contented to drink this bitter Cup off." Being at the Place of Execution the Crowd was so great, that I suppose he was shorter than otherwise he would have been; but alas! How could it be? For on every Side of him, as well as up and down the Town, the Inhabitants were weeping and bewailing: Oh 'tis the worst Day that ever we saw in this Town! Must this good Gentleman die here? Oh yet save his Life, I am ready to die for him! And the like. He prayed very heartily for near an Hour, and sung a Psalm, and so we hope was translated to Heaven, there to sing everlasting Praises and Hallelujahs. His Father and Mother you may easily judge were not a little concerned about him; but their Adversaries Malice ended not here, but Father and Mother must be brought in, and how many Thousands of Pounds it cost them, I think is too well known in London; and most Parts of the Kingdom have heard in the Publick Letters their Names mentioned. Some may think they were concerned with the Duke, but I never heard there was so much made appear against them, as could have made them been brought in guilty of High Misdemeanors: Had not the good Gentleman and his Lady been vertuous People, abhorring the Debaucheries of the Times, and of such a competent Estate, able to spare Ten or Twelve Thousand Pounds; the hard Usage this honest brave Gentleman and his vertuous Lady had, and their Sufferings, to relate them, would be too large, and besides, it is so well known in most Places in the West, that I shall, without saying any more, proceed.

And next for Mr. Parret, who was executed at Taunton; if I mistake not, he said he was a Londoner, and a Brewer. When he came to the Place of Execution, he seem'd a Man almost unconcerned at Death. After some Time he began to deliver himself somewhat low in Voice to the People, and after rising by Degrees, he seem'd more like a Minister in a Pulpit Preaching devoutly, than a Prisoner just going to Execution; but I being then not well, could not tarry to see the End. But the Character I had, was, That he desired all not to be faint-hearted because of their Fall, and to think that there was no Hopes remaining. He said, He verily believed God would yet work out Deliverance for them, and at the Time they were in the greatest Extremity, that would be God's Opportunity. Put your whole Trust and Confidence and Dependence on the Lord, and he will never leave you, nor forsake you. And much more; but having no more exact Copy, I shall not enlarge, but come to some other.

[Robert Perrot may have been a Londoner, but he was not a brewer. He was a silk dyer, and one of the bloodthirsty Fifth Monarchy men, associated with the celebrated Colonel Thomas Blood in his attempt to seize and hang the Duke or Ormond and probably his other exploits in Yorkshire and in Ireland. But

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his name was better known for the part he played in Blood's theft of the Crown in 1671, and, since the accounts of this affair usually cited are very inaccurate and their dates are wrong, extracts from the original newsletters on this subject will be of interest.<sup>8</sup>

(Whitehall, 9th May, 1671.) "On the 5th five men coming on horseback to the Tower, about six in the morning, three alighted, whilst the other two held their horses. These three went into the Tower to see the Crown, one in a clergy habit. And when admitted two of them, who went into the room whilst the other third stayed about door, wounded and gagged Mr. Edwards, who had the custody of it, and carried away the Crown. Mr. Edwards' son coming and finding his father in that condition pursued. One of the villains shot at him but missed him, as also the sentinels. But they were so closely followed that two were taken about the Irongate, old Blood, who went under the name Ailoffe, the priest disguised, and one Perrot; and afterwards young Blood by a fall from his horse about Gravel Lane, and who went under the name of Hunt and was the same that seized the Duke of Ormonde. They were brought to Whitehall and sent to custody. The other two escaped."

(Whitehall, 13th May, 1671.) "Old Blood was on the 12th brought from the Tower to Court, where he was privately examined by his Majesty."

(Whitehall, 18th May, 1671.) "Upon the desire of some to be satisfied what persons and countrymen they were that attempted the Crown, I shall give this short account. They were English, old Blood a professor, one that in the late times had possessed himself of some small estate in Ireland, and forfeited it for being in the conspiracy to seize Dublin Castle (in 1663), having escaped further punishment by flight, though pursued by Proclamation. Since which, some say he was in the Northern conspiracy (the Pentland Hills rising of 1666) and one of those that rescued Mason from the guard that were to carry him from the Tower to York for trial. Young Blood, his son, has lately exercised upon the highway and was but little before the attempt upon the Duke of Ormond (in 1670) let out of gaol on security for better living. Perrot was a silk dyer of the Anabaptists church and oft times a teacher of that people. Their design, by their confession, of seizing it (the Crown) was only to make their own advantage by the jewels."

Charles II. was so amused by Blood's impudence when he examined him that he gave him his life, on condition that he acted as a spy upon his friends the Fifth Monarchy men, who

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<sup>8</sup> Actual copies of these letters, stolen in transit through the post by James Hickey of the Letter Office, are in S.P. Dom. Car II., vol. 289, Nos. 187 and 219, and vol. 290, No. 5. They are addressed to Mr. Kirk (of the Cambridge Coffee House), Robert Stanton of St. Edmunds Bury, and to Robert Aldworth, town-clerk of Bristol, respectively.

## Henry Boddy.

were always plotting against the King. Both Blood and Perrot were released in July by the King's order. On 8th August, 1671, Blood not only received a pardon under the Privy Seal, but also had all his lands in England and Ireland restored to him. On 31st August his son, Thomas Blood jun., and Perrot shared in his good fortune, and also received pardons.<sup>9</sup>]

### The Last Speech of Henry Boddy, Executed at Bath.

While he was in Prison, especially after Sentence, he behaved himself mighty humb'e, meek, and was much in Meditation, which was observed by several Divines, especially one who attended him to his last, his Name Mr. Simpson. His poor Wife coming to see him at Wells, and to make her Interest with some Friends, if possible to save his Life; but findint it lost Labour, and that she could by no Means prevail, she died there for Grief before her Husband was executed, to his great Grief. When he came to the Place of Execution, he delivered himself to the People in these words.

"Good People, I am come here to pay a Debt due to Nature, which every one, one Time or another, must pay, though not in this Manner or Nature. I am condemned as a Traitor and Rebel against my King, which were Things I always hated and abhorred; and therefore give me so much Time as to deliver my self to you; and what I say I hope you will believe me at this Time, being just going to give an Account, not only for every idle Word, but for all Things I have done since I have had a Being."

I was born in Lyme Regis in the County of Dorset, and bred up a Seaman from my Infancy: I have had the Honour to serve his Majesty King Charles the Second, in his Wars with the Dutch and French, divers Times. I always thought it to be the Duty of every true English-man to stand up in his Country's Quarrel with Foreigners, to maintain the ancient Priviledges and Honour of our Nation. I served him faithfully: And as for my Undertaking now with the late Duke of Monmouth, for which I am now come to suffer Death; as for my Designs, I am sure they were good, for I did believe him to be my Sovereign's Son and Heir; but if otherwise, I have done aniss, and am sorry, and hope the Lord hath pardoned it. While I was in Arms, I am sure there's none can say I have personally wronged them. I desire all your Prayers for me to the last. I am no Orator, therefore if you please (speaking to the Minister) do these last Spiritual Services for me, as for to pray with me, and for me. The Minister being much

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<sup>9</sup> In the Calendar of Domestic State Papers for 1671, p. 460, the last pardon is given as for "Thomas" Perrot. Perrot's name was Robert, and, as this mistake may lead to the impression that the Crown stealer was a different person from the Monmouth rebel, it should be pointed out that Muddiman explicitly states that the latter was also "the Crown stealer."

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taken with him, desired Leave of the Sheriff to ask him some Questions; which being granted, the Minister said unto him, I must make hold with you, but not to hold you too long before I pray, but to satisfie my self and the People on what Ground you stand; I mean as concerning your everlasting State. Now pray resolve me a few Things: First, Whether you do own that Doctrine of Non-resistance, own'd by the Church, That it is not lawful on any Account whatsoever, to take up Arms against the King? O sir! As to that I answer, Could I have been satisfied he had been my lawful Prince, I should not have done it. But, said the Minister, he is, and you are not to be Judge; except you own those Things, some People will hardly have Charity for you after you are dead. What matters that, said he? Would you have me, now you put me so close to it, to lie? No, I will not. I say, if he was my lawful King, I was misled in my Judgment, and have committed a great Error; but, Lord, I hope thou hast washed away all my Sins, in and through the Blood of my dear Redeemer, in whose alone Merits I hope for Mercy. I desire to be asked no more Questions. Then the Minister prayed very devoutly near half an Hour; after which, lifting up his Hands and Eyes to Heaven, he quietly submitted to Death.

### Mr. John Hicks' Last Speech, 1685.

I suppose the Spectators here present may expect I should speak something before I leave this sanguinary Stage and Passage through my Bloody Sufferings, by which my immortal Spirit will be speedily transported into an invisible and eternal World, and I conclude that they have different Resentments hereof. Some resent them with much Joy, high Exultation and Triumph, others with equal Grief and Sorrow; that to the one I am a most pleasant Spectacle, that they behold me with high Complacency and Delight; but to the other I am a mournful and unpleasant one, and they behold me with no less Pity and Compassion. Concerning the first, I can say, I freely and heartily forgive them, and heartily pray that God would most mercifully and graciously prevent their Mourning through Misery, not only here, but eternally hereafter. Concerning the other, I will say, Weep for your own Sins, and for the Sins of the Nation, for the highest Rebellions that ever were committed against the Great and Eternal God; lament bitterly for those Sins that have been the meritorious Cause of the late terrible Judgment, that which I fear will cause God to break in upon this Nation with an overflowing Deluge of Judgments, which are far more tremendous and dreadful. As for sympathizing with me, in drinking this bitter Cup appointed for me, I return you most humble and hearty Thanks, earnestly desiring God to come unto you, and fill your Soul with all Celestial Comforts and

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Spiritual Consolations. Something I must say to purge and clear my self from a false Accusation laid to my Charge; as that I was engaged with Colonel Blood in rescuing Col. Mason near Boston, when he was sent down with a Guard from London to York, to be tried for High-Treason; and that I was the man that killed the Barber of that City; and that also I was with him when he stole the Crown. Now as I am a dying Man, and upon the very Brink of a very stupendious Eternity, (the Truth and Reality whereof I firmly believe) without any Reservation or the least Equivocation, I do declare in the Presence of the All-seeing God, that impartial Judge, before whom in a very little Time I must appear, I never saw nor conversed with Mr. Thomas Blood, from 1656. till after he stole the Crown, which was in 71 or 72, nor was ever engaged with him in any of his Treasonable Plots or Practices. 'Tis true, I being involved in great Trouble of another Nature, (of which I have given to the World a Narrative, and which is notoriously known in the Country where I then lived, by some that were Enemies to me for my Preaching) I was persuaded to apply my self to Mr. Blood, to procure by his Intercession his late Majesty's gracious Favour; Accordingly he brought me into his Royal Presence; while I was there, his Majesty carried it with great Clemency, without expressing one Word of that which I am now charged with. Mr. Blood continued with his Majesty a little longer than I did; then he told me that he had granted me a Pardon, which I did thankfully accept of, knowing it would free me from all Penalties and Troubles that I was obnoxious to, and were occasioned to me by my Non-conformity. Then engaging him to take out my Pardon; he told me, That he got it out with several others that had been engaged with him in several Treasonable Designs and Actions; at which I was troubled, supposing it might be imputed to me thereby; yet, God knows, I have often since reflected upon it with great Regret and Dissatisfaction. If Mr. Blood did inform the late King to make himself the more considerable, and to bring as many of his Party as he could to accept of their Pardons, that he might be rendered utterly incapable of Plotting any further Mischief against his Government, or any otherways that I was engaged with him in any of his Treasonable Attempts: I now appeal to God as a dying Man, concerning it, that he hath done me an irreparable Wrong. I also in the same Manner do declare, that I was never engaged with any Party in Plotting or Designing, or Contriving any Treason or Rebellion against the King, and particularly, that I was altogether unconcerned in, and unacquainted with that for which my Lord Russel and others suffered, and as much a Stranger to any against the present King. And whereas it is reported of me, that at Taunton I persuaded the late Duke of Monmouth to assume the Title of King; I do once more solemnly declare, That I saw not the said Duke, nor had any converse with him till he came to Shipton-Mallet, which was thirteen Days after he landed, and several Days



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after he had been at Taunton. And 'tis as false that I rul to and fro in the West to stir up and persuade Men to go into his Army, and rebel against his present Majesty; for I was in the East-Country when the Duke landed, and from thence I went directly to him, when he was at Shipton-Mallet, not one Man accompanying me from thence. But hitherto as I lived, so now I die, owning and professing the true Reformed Christian (commonly called the Protestant) Religion, which is founded on the pure written Word of God only, and which I acknowledge likewise to be comprehended in the Articles of the Doctrine of the Church. This Religion I have made a reasonable and free Choice of, and have heartily embraced, not only as it protests against all Pagan and Mahometan Religion, but against the Corruption of the Christian; and I humbly and earnestly pray to God that by his Infinite Wisdom and Almighty Power, he will prevent not only the utter Extirpation but Diminution thereof, by the Heighth and Influence of what is contrary thereto; and for that End the Lord make the Professors of it to live up more in its Principles and Rules, and bring their Hearts and Conversations more under the Government and Power of the same. I die also owning my Ministry, Non-conformity, for which I have suffer'd so much, and which doth now obstruct the King's Grace and Mercy to be manifested and extended to me: For as I chose it not constrainedly, so I appeal to God as a dying Man, not moved from Sullenness or Humour, or factious Temper, or erroneous Principles of Education, or from secular Interests, or worldly Advantages, but clearly from the Dictates of my own Conscience, and as I judged it to be the Cause of God, and to have more of Divine Truth in it than that which is contrary thereto; so now I see no Cause to repent of it, nor to recede from it; not questioning but God will own it at the last Judgment-day. If no more had been required after the late King's Restauration to qualifie Ministers for Publick Preaching, than was after the first Restauration from the Time of Charles the First, probably I might have satisfied my self therewith, and not scrupled Conformity thereto; but the Terms and Conditions thereof, by a particular Law made in 1662, being not only new, but so strict and severe, that I could never have satisfaction in my own Conscience, after all endeavours used for a Compliance therewith, and a Conformity thereto: To say nothing of the Covenant, which I never took, but the giving my Assent and Consent, have been too difficult and hard for me to comply with. And I very well remember that about Fourteen Years ago, entering into a Discourse with Mr. Patrick Heldore, an Irish-man who was contemporary with me in Dublin, concerning Conformity, which he much endeavour'd to persuade me to; I urg'd the Severity of the foremention'd Conditions against it, and after some Debates and Reasons with him, I told him I did believe they were contrived and designed on Purpose to prevent our Public Preaching, and to keep us out of the Church: To which he Ingeniously replied, He judged it was so: For, said he,

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a Bishop in Ireland (whose Name I have forgot) told me the very same.

But though I could not wade through, and conquer this Difficulty, yet I censure not those that did it; and I believe after all the hottest Disputes, and most vehement Debates, and violent Contests between Conformist and Non-conformist, there are of both Parties will be glorified in Heaven hereafter. According to the 29th Article of the Church of England, a visible Church is a Congregation of Faithful Men, in the which the pure Word of God is Preached, the Sacraments of the Lord duly Administered, according to Christ's Ordinance, and all those Things that of Necessity are requisite and necessary to Salvation; so with such a Church have I held the most intimate Communion, and with such (did I live) could hold it: I would not therefore be so incorporated with any Church, as to exclude me from, and render me incapable of holding Communion with other Churches; I was never strongly bound up to any Form of Ecclesiastical Government, but that under which a pure undefiled Religion did flourish, and that which contains and really practices Holiness, and advances the Kingdom of God in the World, that can I approve of, and willingly live under, were I to live.

I did approve of the ancient and present Form of Civil Government, English Monarchy I am fully satisfied with, and do also declare, that it is not warrantable for any Subject to take up Arm against, and resist their lawful Sovereigns and Rightful Princes: And there had I not been convinced by several Things that I have read and heard, to believe that the late Duke of Monmouth was the Legitimate Son of his Father Charles the Second, I had never gone into his Army, judging that without this I could not be freed from the Guilt of Rebellion, which I always resolved to keep my self clear from. And tho' his Father denied he was married to his Mother, I thought It might be answered with this; That Kings and Princes, for State-Reasons, often cannot be fathomed by their Subjects, affirming and denying Things which otherwise they would not do, and make even their natural Affections to truckle and stoop thereto. I exhort all to abhor all Treasonable Plots, and Pretences of all Rebellion, with the highest Detestation, and to take the plain Text of Sacred Scripture to walk by, in honouring and obeying, and living in Subjection to Rightful Kings, and not readily to receive, or suddenly to be impress'd with evil Reports and Defanations of them, also not rashly to be propagators of the same.

I desire God to forgive all mine Enemies, and to give me an Heart to forgive them, which are many, some mighty, and all most malicious: Particularly Barter of Lissel, who betrayed me, and proved such a Traitor to James D. of Monmouth his old and intimate Friend. I am grievously afflicted that I should prove the Occasion of the great Sufferings of so many Persons and Families: But this hath fallen under the Just and Wise Ordering of Divine

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Providence, as David's going to Abimelech, when he proved the Occasion of the Death of all the Persons, Men and Women, and Children in the City: But who shall say unto God, What doest thou? The Care of my most dear Wife and a great many Children, I cast upon God, who I hope will be better than the best of Husbands unto her, God knows how just and legal Right my Wife hath unto her Estate; to him therefore I commit her, to defend her from the Violence and Oppression of Men, particularly from a most inhumane and unnatural Brother: But no Wonder if he will lay violent Hands upon his Sister's Estate, that hath so often laid them upon his own Father. I die a deeply humbled, self-judging, and self-condemning Sinner, loathing and abhorring my many and great Iniquities, and my self for them, earnestly desiring full Redemption from the Bonds of Corruption, under which I have groaned for many Years, longing for a most perfect Conformity to the most Holy and Glorious God, the only infinite pure Being; thirsting for a perfect Diffusion of his Grace through all the Powers and Faculties of my Soul, panting after perfect Spiritual Life and Liberty, and a consummate Love to my dearest Jesus, who is an All-comprehensive Good, and to be satisfied with his Love for ever: A vigorous and vehement Zeal for the Protestant Religion, with a Belief I had of the Duke's Legitimacy, hath involved me in the ignominious Death; yet blessed be God, that by sincere Repentance and true Faith in the Blood of Jesus, there is Passage from it to a glorious eternal Life, and from these bitter Sorrows to the Fulness of sweetest Joys that are in his Presence, and from these sharp Bodily Pains to those most pure Pleasures, that are at his Right Hand for evermore: And blessed be God, that such a Death as this cannot prevent and hinder Christ's changing of my vile Body, and fashioning it like his Glorious Body, in the general Resurrection-Day.

I am now going into that World, where many dark Things shall be made perfectly manifest and clear, and many doubtful Things fully resolved, and a plenary Satisfaction given concerning them; all Disputes and Mistakes concerning Treason, Rebellion, and Schism, shall be at an End, and cease for ever: Many Things that are innocent, lawful, and laudable, which have foul Marks and black Characters stamp't and fixt upon 'em here, they shall be perfectly purified and fully cleansed from there; where at one View more shall be known of them, than by all wrangling Debates and eager Disputes, or by reading all Polemical Books concerning them here, I greatly deplore and bewail the greedy Appetite and insatiable Thirst, that professing Protestants have after the Blood of their Brethern, and the high Pleasure they take in the Effusion thereof. But what will not Men do, when they are either judicially blinded, or their secular worldly Interest insensibly insinuates and winds it self into their Religion, is so twisted and incorporated with it, that it animates and acts it, is the Life and

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Soul, the vital Form and Power, and made wholly subservient thereunto?

I bless God for all my Sufferings, and particularly for this last; for the Benefit and Fruit of it, by God's sanctifying of them to me, have been great; hereby I have been effectually convinced of the Vanity of the World, and my own Sinfulness by Nature and Practice, and to see that to be Sin which I never saw before; and to be more thoroughly humbled for what I know to be sin, not only of Commission, but of Omission also: Hereby I have been brought to a more thorough, deep, inward Sense and Feeling of the absolute Necessity of the Righteousness of Christ to justifie me, and he hath been made much more dear and precious to my Soul, than ever he was before. Hereby my Soul hath been more refin'd from the Dross of Sensuality, wrought into a more Heavenly Frame, raised up to a higher Pitch of Spirituality; hereby I am made more meek and humble, and so judge more charitably of others that differ from me in Opinion and Judgment: So though by God's most Righteous Judgment I have been apprehended, and most justly and deservedly undergo this Suffering for my Sins, yet I hope they have wrought for me a far more exceeding and eternal Weight of Glory, fitting and preparing me, making me a better qualified Subject for, and far more meet to be a Partaker of the same. By the Grace and Strength and Grace of God, I will not purchase my Life by the Death and Blood of my Protestant Brethren, but chuse to die rather than be a Betrayer of them; the impetuous and violent Assault of this I dreaded more than Death it self. Blessed be God I was not exposed unto it, and conquered by it, as some have been: Having such full bodily Vigour and Strength, being in such perfect Health, notwithstanding my Age, predominating in me, it hath made it more difficult to die, than if I had been clogged and incumbered with Infirmities, made to bow and stoop under them by prevailing Diseases and Distempers, gradually worn out therewith, which many Times makes Men weary of Life, and to desire to die; and this in Conjunction with many Things (which I forbear to mention) highly gratifying and pleasing to Sense, which I must leave for ever, strengthens and heightens the Difficulty, and begets a greater Regret and Reluctancy in my Will, to have the Earthly Tabernacle of my Body dissolved, and my Soul to dislodge and quit the same. But now when the black and gloomy Shades of Death do overspread me, I can say to the Glory of God's most Free and Powerful Grace, True Faith in some Measure hath changed the Difficulty into a Facility and Easiness of Dying: It hath very much subdued the Reluctancy of my Will against it; for it makes future Things present, and invisible Things visible, and doth realize and substantiate the same to me; and as by it I penetrate and pierce into Eternity, and behold invisible and immortal Things, so hereby, blessed be God, I have obtained a greater Victory over Sense: The World is crucified to me, and I to the World, and

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all the most pleasant and delightful Objects therein, all finite, fading Creatures, Comforts and Enjoyments, are become minute and small, despicable and contemptible to me, in Comparison thereof, being infinitely contained and comprehended therein: Shall my Soul clasp and cling about these mortal and perishing Things? Shall it cleave and be glued to them? Shall it be confined and captivated into what is kept in the narrow Bounds of Time, and in this lower World? Shall it earnestly desire and thirst for muddy Streams, yea Rivers of Flesh-pleasing Good; when by an Eye of Faith I can look into the indefinite, inexhaustible, purest Fountain; the immense, immensurate Ocean of Divine Good; hoping to drink thereof, to swim and bathe my Soul therein for ever and ever? And when I consider how long my Ears have been bound up, and tied to their innumerable and horrid Oaths, and cursed Blasphemies, and mine Eyes to see the Prophanation of the Day of God; and when I beheld such an overflowing Flood of most prodigious Impiety, such an Inundation of most monstrous Iniquity, and so much Hell upon Earth, and that there is so much Decay of holy Zeal, and true Piety, and Christian Religion, amongst the Professors of it, such seeming incurable Breaches and Divisions, such expiring Love and Charity, and Partings among 'em; it hath powerful Influence on my Soul to reconcile it more to Death, and makes it electively, and from Choice, to leave this present World, and to take up my Abode in that which is unseen and future, where there shall be nothing but perfect Love and Holiness; a sinless State, and serving God with all Unweariness and Perfection, with the highest Complacency and Delight that mortal Souls can be capable of: There is perfect Peace and Concord, the innumerable Company of Angels, and the Spirits of Just Men made perfect, all fastened together with indissoluble and uninterrupted Chains of most pure Love, and all continually wrapt up in, and transported with the highest Admiration of God's Love, his infinite and incomprehensible Excellencies and Perfections, singing Hallelujahs to him without ceasing, and triumphing in his Praise for ever and ever. The Consideration also, that I know so little of these sublime, profound, and Divine Mysteries; of the most glorious Mystery of Salvation by Jesus Christ; that I am so incapable to fathom the Depth of the Providences of God, whose Ways are in the Sea, and whose Paths are in the Deep Waters, and whose Footsteps are not known, and particularly in the late stupendious and amazing one; and that I am so ignorant of the Nature of Angels and Spirits, with their Offices and Operations, and of their high and glorious Excellencies; and that I am so little acquainted with the Nature of my own Soul, as at present dwelling in, and united to my Body, and as disunited and separated from it; how without corporeal Organs it shall most vivaciously and vigorously perform all its proper Functions and Offices, and more than ever strongly and indefatigably serve the Lord Jesus, most fervently and abundantly love him, and delight in

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him every way, much more obtain the supreme and highest End of its Creation and Being; and this makes me much more willing to die, that I may have the Knowledge thereof, with innumerable other Things; that I am now either ignorant of, or do but imperfectly know, and so be made happy by a Plenitude of Fulness of enjoying intellectual Pleasures, which are of all other most suitable, sweet, and satisfactory to immortal Souls. And also I see that he that departs from Iniquity makes himself a Prey; and so many plunging themselves into the Ways of Iniquity, lest they should be accounted odious and vile, which makes them so much degenerate not only from Christianity, but from Humanity it self, as if they were scarce the Excrement of either; condemning even that most Noble, Generous Heroick Spirit that dwelt in many Heathens, who accounted it most Honourable and Glorious to contend for their Rights and Liberties, yet, to suffer Death, and the worst of Deaths, in Defence of the same; and judge them accursed and most execrable in the World that do so; and not only so, but for their own Profit and Advantage, have many of them enslaved their Posterity by it, and are most industrious and laborious, most fierce and furious to destroy them, whereby they are become as unnatural as Children that seek the Ruin of their Parents that begot, and brought them forth; or them that lay violent Hands upon themselves, dashing out their own Brains, cutting their own Throats, hanging and drawing themselves, ripping up their own Bellies, tearing out of their own Bowels, they being in different Senses Children and Members of that body Politick they design and attempt the Destruction of; and when I know not how long the Duration and Continuance of these Things shall be, or a Conclusion or End by God shall be put thereto, who by Divine and Unerring Wisdom governs the World; why shall my Soul be unwilling to take its Flight into the Unseen and eternal World? Where no sullied, sordid, or impious Thing, most incongruous and unbecoming Nature, shall be seen and found, and where I shall behold no narrow, conclusive, contracted Soul there, habitually preferring their private before a Publick Good, but all most unanimously and equally centre in one common, universal Good, and where the Sighs and Groans, and Cries of the Afflicted and Persecuted shall be heard no more for ever.

I earnestly exhort all most highly to prize and value Time, and diligently improve it for Eternity; to be wise, seriously and seasonably to consider of their latter End: For by the irrepealable and irreversible Law of Heaven we must all die, yet we know not how, where, or when. Live with your Souls full of Solicitude and Care, with a most deep Concernedness and most diligent Industriousness, whilst you have Time and Opportunity, and the Means of Grace, Health and Strength, make sure of these two great Things, viz.

1. What merits for you a Right and Title to eternal Life and Glory, and the future unchangeable Blessedness, as the

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Redeemer's most precious Blood and Righteousness; that thereby a real Application and Imputation may be unto you by sincere Believing.

2. That that which makes you qualified Subjects for it, is the great Work of Regeneration, wrought in your Souls, being renewed in the Spirit of your Minds, the Divine Nature being imprest upon them, repairing of the depraved Image of God in you; that being transformed into his own Likeness, thereby in the World you may mind and favour more the Things of the Spirit than the Things of the Flesh, Celestial and Heavenly more than Terrestrial and Earthly, superior more than inferior Things: And therewith have a holy Life and Conversation conjoined, that results and springs from the same, as Fruit from the Root, and acts from the Habits. Let all, in order thereto, seriously consider these few Texts of Sacred Scripture, let them predominately profess you; let them be deeply and indelibly transcribed upon your Souls; let them be assimilated thereunto, and made the written Epistles, the lively Pictures thereof, Mat. 5. 8, 20. Blessed be the pure in Heart, for they shall see God. Ver. 29. For I say unto you, Except your Righteousness exceed the Righteousness of the Scribes and Pharisees, ye shall in no Case enter into the Kingdom of Heaven. John 3. 3. Jesus answered and said unto him, Verily, verily, I say unto thee, Except a Man be born again, he cannot see the Kingdom of God. 1 Cor. 6. 9, 10, 11. Know ye not that the Unrighteous shall not inherit the Kingdom of God, &c. Gal. 5. 19, 20 to 23. Now the Works of the Flesh are manifest, which are these, Adultery, &c. James 1. 18. Of his own Will begat he us with the Word of Truth, that we should be a kind of First-fruits of his Creatures. 1 Pet. 1. 3. Blessed be the God and Father of our Lord Jesus Christ, which according to his abundant Mercy hath begotten us again to a lively Hope by the Resurrection of Jesus Christ. Ver. 13. Wherefore gird up the Loins of your Mind, &c. Coloss. 3. 1, 2. If ye then be risen with Christ, seek those Things that are above, set your affections on things above, not, &c. Gal. 5. 24. And they that are Christ's have crucified the Flesh with the Affections and Lusts, &c. Eph. 2. 1. And you hath he quickened, who were dead in Trespases and Sins. Rev. 20. 6. Blessed and holy is he that hath Part in the First Resurrection, on such the Second Death hath no Power. Rom. 8. 1. There is therefore now no Condemnation, &c. 1 Pet. 1. 15. But as he that hath called you is holy, so be ye, &c. Ver. 23. Being born again, not of corruptible Seed, &c. Psal. 4. 3. But know that the Lord hath set apart him that is Godly for himself, &c. I shall mention now no more, the whole Bible abounds with these Texts, with what a Renovation and Change of our carnal and corrupt Hearts and Natures, there must be, with Holiness of Life and Conversation, before we can be capable of a future and blessed Immortality, and of inheriting the Kingdom of God for ever and ever. Amen.

## Hickes' Letters.

A Letter written by Mr. John Hicks, October 5,  
the Day before his Death.

My Dear Nephew,

I am yet in the Land of the Living, though in the Mouth of Death; I have been concerned for you, next to my own Children; before I die, I thought fit to write two or three Lines to you, as a Manifestation of my great Love to you: I earnestly desire the Welfare of you here, and to Eternity hereafter; next to my own Wife and Children, you will want me when I am gone; but I hope the Lord will take Care of you; make it your Business to walk with him, to serve him faithfully; flee youthful Lusts, and Remember your Creator in the Days of your Youth; be deeply concern'd to have your Heart and Nature chang'd, and an Interest in Christ secured unto you. Death comes suddenly, you know not when, where, nor how you shall die: Let Time therefore be most precious to you; fill it up with Work and Duty; live by Faith more than by Sense; and this will stand by you when you come to die: Seek the Things which are above, and set your Affections upon them; have your Conversation in Heaven whilst you are upon Earth. When you see your Parents, give my dear Love to them and their Children; the Lord grant that we may meet in his everlasting Kingdom: When you see any of your Cousins, give my dear Love to them, and be not ashamed of my Sufferings. I wrote last Saturday was a Seven-night to my Brother George, but whether he is at London or Worcester, I know not: I wrote to him to desire him to Petition the King, that some Favour and Mercy might be shewed me, if he thought fit. Things that are made to aggravate my Crime, I am clear from; as that I persuaded the Duke of Monmouth to assume the Title of King at Taunton, when I was not there with him, nor in thirteen Days after he came into England; and that I rode to and fro in the West to persuade People to go into his Army, when I was in the East, and came from thence to him in the West; but my Non-conformity cuts me, and obstructs the King's Mercy from being extended to me, as I am told; but the Will of the Lord be done; the Life to come is infinitely better than this: Many more Things are laid to my Charge, which I am no more guilty of than your self. If your Uncle be in Town, go speedily to him, and give him my dear Love. I pray for you, who am

Your most Affectionate Uncle,

Octob. 5. 1685.

J. H.

A LETTER TO HIS WIFE, SEPTEMB. 23. 1685.

My Dearest Love,

I hope you received a few Lines from me by the Way of London; once more I write to you, by our faithful and trusty



## The Bloody Assizes.

Friend, W. D. who hath been at Exon. If there be need for it, he knows many of my dear and faithful Friends there, who wish you would come and live among them; and if your Estate fail, I think it is very advisable so to do; I hope God will stand by you, and defend you: My Dear, see me in God, as I must you. I must now bid Adieu to all earthly and worldly Comforts and all the pleasant and delightful Objects of Sense. I bless God for all present Mercies and Comforts hitherto I have had; what will be after this Day I know not, but the Will of the Lord be done.

My Dear, be very cautious not to speak one Word, lest it be wrested to a wrong Sense, which may ruin you; I have not writ what I would of this Nature, take the Advice of Friends, and of what I send by our Friend. O let not the everlasting Arms of God be withdrawn from you one Moment; and let him strengthen you with all Might, according to his glorious Power, and to all Patience and Long-suffering, with Joyfulness! Pray hard for Victory over Passion, and be much in private Closet-Prayer with God; and often read the Holy Bible, and other good Books; the Lord constantly guide, direct, and counsel you. My Dear, I return you a thousand Thanks for all the Love you have shewed me and my Children, and particularly for the high and great Demonstration you have given hereof in this Day of my Distress. I hope my Daughters will be as dutiful to you, and be as much concerned for your Comfort and Welfare, as if you had travelled with them, and brought them into the World; God bless my dear little Ones and them together, I shall die their most affectionate and praying Father; God, I hope, will uphold, support, and comfort me at the last Hour, and enable me to overcome the Temptations I shall violently be assaulted with before I die. God by his infinite and freest Mercies in Jesus Christ, pardon all the Neglect of Relative Duties, (which I have bitterly lamented and bewailed before God, with all the Sins I am guilty of) for the Sake of our dearest Lord and Redeemer. The Lord make you grow in all Grace more than ever, and make this great Affliction so humbly purifying and spiritualizing to you as well as me, that it may work for us both a far more exceeding and external Weight of Glory. Let him take your Soul in his most dearest Embraces, and lodge it in the Bosom of his Love here, and make us to meet in the full and everlasting Fruition and Enjoyment of him hereafter. Though it be dangerous for you to vindicate that I die for, yet be not too much cast down for it: I will say no more as to that. My hearty and affectionate Respects to all my dear Friends; I need not name them; I hope to meet them, with your self, to inherit Eternal Life, through the Merits of Christ's Death. Fare well, my Dear, fare well in the Lord, until we meet to be married to him for ever. My Heart is as full of Love to thee, as it was the first Day I

## Hickes' Letters.

married thee; and if God spar'd my Life, it should have been as fully manifested until Death: Therefore I rest

Septemb. 23. 1685.

Your most Affectionate and

Endeared Husband,

J. H.

### ANOTHER LETTER.

I received your Letter by Mr. Skinner; I bless God that you and my Babes are well; the Lord continue their Lives to be a Blessing and Comfort to you, and enable you to see them well Educated in the Fear of God; and when God takes me away, let him be a Husband to guide, direct, succour, comfort, and support you, and to lodge your Soul in the Bosom of his Love; and let him be a Father to them, and their Portion for ever. Monday last my Brother went to London to try what could be done for me; what the Success will be, I know not: I desire the Lord every Day to prepare me for Death, and carry me above the Fear of it, by the Discoveries of his everlasting Love unto my Soul, and clearing up my Right and Title to everlasting Life; and by sealing up to me the Pardon of all my Sins, through the most precious Blood of Jesus Christ. Let us pray hard and much for each other: When I leave this World, it shall be with Prayer for thee; if God give me Life how shall I study to be a Comfort to thee, and to live up to my Marriage as well as Baptismal Covenant! To all my friends tender my affectionate Respects: I hope their Prayers will one Way or other be heard for me; let the Almighty be your Protector, Supporter, and Comforter. There be two Books I do recommend to you to read when you are retired, as well as in your Family: Pierce's Preparation for Death, and Fox's Redemption of Time. Now let our Souls meet together in one most blessed God, in our dearest Jesus, and sweetest Saviour; let them clasp and cling about him, and be sick for the Love of him; and that we may meet to enjoy him fully to Eternity, and be satisfied with his Love for ever. A thousand Loves, if I had them, I would send to thee, next to my dearest Lord Jesus, and the Things that are Heavenly, Spiritual and Immortal: I love thee: What I can spare for thee is convey'd to thee and my dear Children, from

Thy most Affectionate and Faithful Husband,  
and their most Loving Father,

J. H.

### ANOTHER LETTER.

My most Dear Love,

I Hope you have received my last; once more, as a dead and living Man (through Difficulty) I write to you, though I yet do not know when or where I shall die, but expect Death every Day;

## The Bloody Assizes.

when that Message is brought to me, I hope, through the Grace and Strength of Christ, it will be no Surprize to me; that neither my Lips, Flesh, nor Heart will tremble when I hear it; I know the Cause for which I suffer; God hath and has singled me out from many of my Brethern (which I never have been without some Apprehensions of, for above these twenty Years) to lay down my Life; how far it is for his Cause, will be judged at the last Day: I bless God, who hath kept me from all Temptations to Conformity; though it hath brought me to Ruin and Destruction in this World, it will be no fit Season for you to vindicate that for which I am called to suffer, be silent, and leave it to God; I advise you to all Prudence in this Case: Have your own reserv'd Thoughts, and let them concerning me support and comfort you; if there never happen a Time for you to glory in my Sufferings, it will be hereafter; do you but walk with God (though through Prudence you must hold your Tongue) and be not asham'd you had such a Husband; I thank God that gave it to me, whose Courage and Publick Spirit for the Protestant Religion, the Civil Liberties of his Country, even true English Liberties, hath in this ignominious Way brought me to the Conclusion and End of my Time. Mourn not, my Dear, as one without Hope, let the World know you have something from me, something from your self as a Christian, but ten thousand times more from God, to comfort and support you; see Christ by an Eye of Faith, infinitely more lovely and beautiful than my self; let him be married to your Soul; let him be the Chiefest of ten thousand, and more dear and precious to you; it is not long we shall be separated, before we shall see one another in a Spiritual Enjoyment, separated from all fleshy Pleasures and Delights, yet infinitely more sweet and satisfying to Immortal Spirits, as you and I us'd to see Streams from the Fountain, and the largest Streams in the Ocean; so let us see one another in God, the ever-flowing and over-flowing Fountain of all Good. Seek much the Things which are above, live with your Affection fed upon them; and have your Conversation in Heaven whilst you are upon Earth. I continue yet to pray for you, as for my self, and shall continue to do it until I die; in my last Prayers you shall be interested with my dear Babes, whom I hope God will take into Covenant with him, and number them among his Adopted Ones, and of that incorruptible Inheritance which is in Heaven: I hope God will spare their Life to see them Educated, and guide and assist you therein, and theirs to be a Blessing and Comfort to you: Consider your Condition is not single and alone, this Country affords a Multitude of the like sad and deplorable Instances; let this make you more to possess your Soul with Patience and Humility, calmly and quietly to submit to the good Will of God. I have left a Paper behind me for you to read; and our Friend can tell with what Difficulty I write it, therefore must have many Defects and Imperfections, which must be over-look'd and mended; preserve the two Bibles

## Abraham Ansley.

for my dear James and Betty. What shall I say more, my Dearest? I must break off with my Heart full of Love to thee; and subscribe my self

Your most Dear and Affectionate

Octob. 3. 1685.

Husband till Death,

J. H.

### Captain Abraham Ansley's Last Speech.

I am come to pay a Debt to Nature; 'tis a Debt that all must pay, though some after one Manner, and some after another: The Way that I pay it may be thought by some few ignominious, but not so by me; having long since, as a true Englishman, thought it my Duty to venture my Life in Defence of the Protestant Religion against Popery and Arbitrary Power: For this same Purpose I came from my House to the Duke of Monmouth's Army: At first I was a Lieutenant, and then a Captain, and I was in all the Action the Foot was engaged in, which I do not repent: For had I a thousand Lives, they should all have been engaged in the same Cause, although it hath pleased the wise God (for Reasons best known to himself) to blast our Designs; but he will deliver his People by Ways we know nor think not of: I might have saved my Life, if I would have done as some narrow-soul'd Persons have done, by impeaching others; but I abhor such Ways of Deliverance, chusing rather to suffer Affliction with the People of God, than to enjoy Life with Sin. As to my Religion, I own the Way and Practice of the Independent Churches, and in that Faith I die, depending on the Merits of our Saviour Jesus Christ for my Eternal Salvation: His Blessing be with you all. Farewel to thee, poor England, Farewel.

ABRAHAM ANSLEY.

### MR. ANSLEY'S LAST LETTER.

I Now send you my Last Farwel, being going to lay down my Life with Joy and Assurance of Life Eternal; for which blessed be the Holy One of Israel, who never leaves nor forsakes those that put their Trust in him, and give you many Thanks for your Kindness to me, the Lord make it up to you, by pouring upon you a daily Portion of his most Holy Spirit, and deliver you from your Bonds. My Enemies have done what they could to afflict this Body; but blessed be the most High, who hath given me Strength, Patience, and Courage to endure all they can lay upon me. The Grace of our Lord Jesus Christ, and the Fellowship of his Holy Spirit attend you; which is the Prayer of your dying Friend, but living Brother in Christ Jesus.

From Taunton Castle,

Sept. 21, 1685.

ABRAHAM ANSLEY.

# The Bloody Assizes.

## Mr. Josias Askew's Letter to his Father.

Honoured Father,

I Not having an Opportunity to make my Gratitude known to you for all your Endeavours, for the saving a poor, vain, perishing, and troublesome Life; and seeing it is all in vain, I would desire you both to acquiesce in the Will of God, and rejoice with me for this happy Day of my Departure from this State of Pilgrimage, home to the Possession of those Heavenly Mansions, which my God and Father hath provided for me, in and through my Lord Jesus Christ: It is in him alone I put my Trust and Confidence, and therefore can boldly say, Who is he that condemneth? It is Christ that died, yea rather, that is risen again, and is set down at the Right Hand of God, making Intercession for all those that have a well-grounded Confidence in him. My Time is but short, and by Reason of Company I am disturbed; therefore I conclude with my Last Breath, begging of God, that he would keep you constant in his Fear, in this Day of great Temptation, and at last receive you to his Glory, where he shall once more unite in Praising without Interruption or Distraction, World without End, Amen: Until which Time, the Grace of God the Father, the Love of God the Son, the comfortable Refreshings of God the Holy Ghost, be with you, all yours, and the whole Israel of God, both now and for ever: Which is the hearty Prayer of your Son,

JOSIAS ASKEW.

Pray remember me to all with Joy.

## ANOTHER LETTER TO HIS FRIEND.

Madam,

You have been a Partaker with me in my Troubles, I would also make you Partaker with me in my Joys; seeing my Wedding-day is come, the Day of the Bridegroom is at hand, and I am this Day to be stript of my Rags of Corruption, to be clothed upon with the White Robe of his Righteousness and Purity, and to be married to my Husband, and to be given to the Embraces of my Lord Jesus Christ for ever and ever.

Learn not to repine at the Holy Determination of an Infinite Wise God, but rest satisfied in his Will, knowing that he doth all things for the Best to them that fear him: Weep not for me, who am only changing this World of Temptation, of Troubles and Affliction: It hath pleased God to call me a little before you, but you must soon follow after; keep therefore the Fear of God before your Eyes, and then you will have Cause to rejoice, and not to mourn; when at the Time of Departure you may have Cause to say with me, I have run my Race, I have finished my Course, I have kept the Faith, henceforth is laid up for me a

## Askew and Holloway.

Crown of Glory which fadeth not away; which that you may be able to say, is the hearty Prayer of

Your Friend and Servant,

JOSIAS ASKEW.

### THE ACCOUNT HIS FRIEND GIVES OF HIM.

To prevent your further Trouble in suing for a Pardon, I think it convenient to let you know, I do not question but my dear Cousin hath had his Pardon sealed by the King of Kings, and is in everlasting Blessedness, singing Hallelujahs, Salvation Glory, and Honour to him that sits upon the Throne, and to the Lamb, for ever and ever: For God did so carry him through to drink that Bitter Cup with so much courage and Chearfulness to the last, as was to the Admiration of all Spectators, notwithstanding the terrible Sight he saw at the Place Suffering, and so vehemently, as he was tried by the Adversary, yet it did not in the least discompose him, or alter his Countenance; for he continued with a smiling Countenance to the last, and was transported above Measure: I want words to express it, he was like One wrapt up in Heaven, with his Heart there, and his Eyes fixed thereon. I could wish you had been there, it would have driven away all Cause of Sorrow from your Heart, to feel his Deportment, and hear the gracious Words that proceeded out of his Mouth: He remembreth his Duty to you both, and left Paul's Blessing with you, Grace, Mercy, and Peace; his Love to his dear Sister; he desires her not to be troubled for him, for he hath made his Peace with God, and was assured he should go to Eternal Happiness; he would have written more to you and to his Sister, but that he had so short a Time after Sentence, that he wanted Opportunity; when he went out of Prison, he said, Gentlemen, now I am going, and it is the Time I much longed for; I would not change with him that passeth Sentence upon me, for a World. I was with him to the last, and seeing his Courage, did very much encourage me, though I never saw such a Sight with my Eyes.

### The Behaviour of John Holway, before and at the Place of his Execution at Warham, in the County of Dorset.

He lived in Lime where the Duke Landed, and appeared in Arms at that Time, until his Captain left him; then took up Arms under the Duke of Monmouth, and went with him, until the King's Proclamation came forth, That all that would lay down their Arms before some Justice of the Peace, in four Days after, and take a Certificate for their so doing, they should be acquitted, and have his Majesty's Pardon, which this Person did, though

## The Bloody Assizes.

one Day too Late; which Blot my Lord Chief Justice hit, being very good at it, and passed the Sentence of Death on him. Before his Trial he was not much concerned at his Case, and thought himself almost out of danger: But to be short, he received his Sentence with much Courage and Resolution, and by the Means of one Mr. Tiller, who was to suffer with him, was brought to that settled Frame of Spirit, as is fit for one in that Condition: As he was riding in the Carr, toward the Place of Execution, the Troopers, being just behind the Carr, he told them, they showed like Brave Fellows, but, said he, if I were to have my Life for fighting the best five of you, I would not question it. At the Place of Execution he said not much, But that he thought his and other Men's Blood would be revenged one Time or another, and said, Forgive me, have Mercy on my poor Soul, pardon all my Sins, and the like, and so the Executioner did his Office.

### The Last Speech and Prayer of Mr. Matthews at the Place of Execution.

He was much concerned the Morning before he died, to see his Wife weep, and to be in such a Passion for him, which drew Tears from his Eyes; and taking her in his Arms, said, My Dear, prithee do not disturb me at this Time, but endeavour to submit to the Will of God; and although thy Husband is going from thee, yet I trust God will be all in all unto thee; sure, my Dear, you will make my Passage into Eternity more Troublesom than otherwise, if you thus lament and take on for me; I am very sensible of thy tender Love towards me, but would have you consider, that this Separation will be so much for my Advantage, as your Loss cannot parallel. I thank God I am willing to die, and to be with my Jesus; be satisfied, the Will of God must be done: Thy Will be done, O God, in Earth as it is in Heaven: So embracing her, took his last Farewel of her, and prepared to go to the Place of Execution, where being come, he with a very modest, sober, composed Frame of Spirit stood while he saw several executed before him; his Turn being come he thus spake:

Dear Countrymen, I suppose we are all of one Kingdom and Nation, and I hope Protestants: O I wonder we should be so cruel and bloodthirsty one towards another; I have heard it said heretofore, that England could never be ruin'd but by herself, which now I fear is a doing. Lord have Mercy on poor England, turn the Hearts of the Inhabitants thereof, cause them to love one another, and to forget one anothers Infirmities. Have Mercy, O Lord, on me; give me Strength and Patience to fulfil thy Will, comfort my dear and sorrowful Wife, be a Husband

## Mathews and Satchel.

unto her, stand by her in the greatest Trouble and Affliction, let her depend upon thy Providence; be merciful to all Men, preserve this Nation from Popery, find out yet a Way for its Deliverance, if it be thy good Will, and give all Men Hearts to be truly thankful; comfort my Fellow-sufferers that are immediately to follow, give them Strength and Comfort unto the End: I forgive all the World, even those that have been the immediate Hastiness of my Death: I am in Charity with all Men. And now, Blessed Lord Jesus, into thy Hands I commend my Spirit. Our Father which art in Heaven, hallowed be thy Name; thy Kingdom come, thy Will be done in Earth as it is in Heaven; give us this Day our daily Bread; forgive us our Trespases as we forgive them that trespass against us; and lead us not into Temptation; but deliver us from Evil; for thine is the Kingdom, the Power, and the Glory for ever and ever, Amen.

After which, going up the Ladder, he desired the Executioner not to be hard to him, who answered, No. and said, I pray, Master, forgive me; To which he said, I do with my whole heart, and I pray God forgive thee; but I advise thee to leave off this bloody Trade. The Executioner said, I am forced to do what I do, it's against my mind. So lifting up his Hands to Heaven, the Executioner did his Office.

### **The Behaviour and Dying-Words of Mr. Roger Satchel, who was Executed at Weymouth in the County of Dorset.**

This Gentleman, at the Time of the Duke's Landing at Lyme, lived at Culliton, about five Miles West of that Town, and was supposed to be concerned in the Design with the Duke. He always was a great Admirer of him, which got him many Enemies among the Gentry of that County: He always hated the Name of a Papist; and as it fell out, he did foresee Popery advancing, as his words to divers of his Neighbours can testify. As for his Disposition, he was of a very Generous and Heroic Spirit. But to proceed, no sooner had the News of the Duke's being Landed, but he sets himself to Work to serve him, desiring all he knew to join with him, and was one of the first that went to him to Lyme, and was with him to the End: But after the Rout, travelling to and from to secure himself, was at last taken at Chard by three Mess-Troopers, under no Discipline, who made it their Business to ruin their Neighbours in those Parts; they are so well known, I need not say any more. He was from thence carried to Ilchester; and at the Bloody Assizes at Dorchester took his Trial, and received his Sentence with the rest. Great Application was made for him, but my L. C. Justice Jeffreys's Ears were deaf, and so was order'd to be executed at Weymouth. After Sentence, two of his Friends came to him, and told him, There was no



## The Bloody Assizes.

Hope. He answered, My Hope is in the Lord. After which he spent most of his Time before Execution in Prayer and Meditation, and conferring with many good Persons. The Morning being come, he prepared himself, and all the Way drawing to Execution was very devout. Being come to the Place, there was a Minister, I think, of that Place, who sung a Psalm, and prayed with them, and would have some Discourse with this Person, which he avoided as much as possible; but he asked him, What were his Grounds for joining in the Rebellion? Who answered, Had you, Sir, been there, and a Protestant, I believe you would have joined too; but do not speak to me about that, I am come to die for my sins, not for my Treason against the King, as you call it. So pointing to the Wood that was to burn his Bowels, he said, I do not care for that; what Matters it what becomes of my Body, so my Soul be at Rest? So praying to himself near half an Hour, and advising some he knew, never to yield to Popery, he was turn'd of the Ladder. He was a courageous, bold-spirited Man, and one of great Reason just and punctual in all his Business, and one that did much good amongst his Neighbours.

There was at the same time and Place one Mr. Lancaster executed, whose Courage and Deportment was such, that he outbraved Death, and in a Manner challenged it to hurt him, saying, I die for a good Cause, and am going to a Gracious God. I desire all your Christian Prayers; 'tis good to go to Heaven with Company. And much more he spake concerning the Duke of Monmouth, whom he supposed at that time to be living; and so praying privately for some small Time, he was turned, or rather leaped over the Ladder.

If I mistake not, he said he was born or lived in Bridport.

### The Last Speech of Mr. Benjamin Sandford, at the Place of Execution, at Bridport.

He with Nine more were brought from Dorchester to Bridport to be Executed. Coming to the Place of Execution, he held up his Hands to Heaven, and turning himself to the People, said, I am an Old man, you see, and I little thought to have ended my Days at such a shameful Place, and by such an ignominious Death; and indeed it is dreadful to Flesh and Blood, as well as a Reproach to Relations, but it would have been a great deal more if I had suffered for some Felonious Account. Says one to him, Is not this worse do you think than Felony? He answered; I know not any Thing that I have done so bad as Felony, that this heavy Judgment should fall upon me, except it be for my Sins against my God, whom I have highly provok'd, and must acknowledge have deserved ten thousand times more; Lord! I

## Benjamin Sandford.

trust thou hast pardoned them; Seal my Pardon in the Blood of my Saviour; Lord, look upon, and be with me to the last Moment.

There was also executed at the same Time one John Bennet, a poor Man, but pious, and of good Report with his Neighbours in Lyme, where he lived. I have heard that when he was on Trial, a certain Person inform'd his Lordship, that the Prisoner, then at the Bar, had Alms of the Parish; and that his Lordship should reply, Do not trouble your selves, I will ease the Parish of that Trouble. In Prison, and at the Place of Execution, he behaved himself so well to all, that many of his Enemies pitied

Here was a glorious	} him, and would, if it had lain in their
instance of	
Filial Affection.	} Power (as they said), have saved him.

His son being then present, offered to have died for him, and was going up the Ladder, if it might have been suffered. He prayed some short Time, and so was translated, as we have Hopes to think, from this troublesome World into Celestial Joy and Happiness.

**Next follow many Excellent Hymns made by several Worthy Persons that were Prisoners for the Sake of Christ.**

Triumphing Sons with Glorious Tongues  
Let's offer unto him,  
That loved so to undergo  
The Product of our Sin.

Leaving his Throne from Heaven came down,  
Sinners for to redeem  
From Hell, and Wrath, and second Death,  
Christ underwent great Pain.

His Side was gor'd, his Hands were Bor'd,  
His Feet were nailed down,  
And all was for the Redemption  
Of sinful, wicked Man.

Oh how strained, prest, and pained  
Was Christ to be Baptized,  
And in Affliction to be plunged,  
His Body Sacrificed.

Let God be blest for Jesus Christ,  
Who is our splendid King;  
Hallelujahs sweet with Spirit meet,  
High Praises to him sing.

## The Bloody Assizes.

For Blood, for Wounds, for Love, whose Bounds  
Extended unto all;  
For Scoffs and Smites, for Jeers, for Flouts,  
Which upon Christ did fall.

Now, Christ, haste unto us again,  
Thy Scepter for to sway,  
Thy Kingdom come, thy Will be done,  
Come Jesus, come away.

With glorious Bands and shining Trance  
Of Angels in the Sky,  
Which forth shall sing triumphant Songs  
With sweet Hallelujah.

Set up thy Standard and prepare  
War against Babylon:  
For her Destruction draweth near,  
As here we read her Doom.

Lord, blow the Trumpet, and awake  
The Nations round about;  
Stir up the Spirit of the Medes,  
Which did Old Babel rout.

For Babel must drink of that Cup  
Which Sion deep did wound;  
Jerusalem did first begin,  
And so the Cup goes round.

But Babel must drink up the Dregs  
Of Wrath which do remain,  
With which no Mixture she shall have  
To mitigate her Pain.

For 'tis the Vengeance of our God,  
And of his Temple too,  
The Vials that fill up his Wrath,  
The Three Last Trumpets Woe.

When Jacob, as a Battle-Ar  
In Great Jehovah's Hand,  
Shall break down all those Mountains tall,  
That in his Way do stand.

O then let us rejoice, because  
The Time appointed is,  
That Babel shall be seen to fall,  
And Sion shine in Bliss.

## Hymns.

Our Lord draws near, as doth appear  
By Signs by him fore-told;  
Then, Virgins, come, meet your Bridegroom,  
His Wondrous Works behold.

The Night grows dark, be still, and hark  
What is the Bridegroom's Voice;  
That when the Cry comes swiftly by  
It may your Hearts rejoice.

Your Light grows dim, arise and trim  
Your Lamps from all their Soil;  
And see your Light shines clear and bright,  
Supply'd with Gospel Oil.

Some Virgins now do sleepy grow,  
And don't their Vessels fill;  
Nor fear a Want, when Oil grows scant,  
And none be found to sell.

And at Mid-night, all in a Fright,  
Oil-shops they cannot find;  
And none will spare out of his Share,  
And so they are left behind.

Thus Foolish sleep in Dangers deep,  
And think their Lord delays;  
But his own Bride hath surely spi'de  
Some of his Glorious Rays:

And will not sleep, unless she keep  
Her Watch-lights burning still,  
With Oil in Store, laid up therefore;  
Let him come when he will.

And though her Garments had some Rents  
And Spots, not perfect White,  
Yet they'll be cleans'd, or quickly chang'd  
For Rayments of Delight.

With her Bridegroom she will find Room  
In Chambers of his Love;  
When the Unwise he will despise,  
And them from him remove.

## The Bloody Assizes.

### The Behaviour and Dying-Words of Mr. Gatchill, Executed at Taunton.

The said Mr. Gatchill was a Constable of the Hundred; he was surprised by a Party of the Duke's, and shewed a Warrant to bring in Provisions and other Necessaries for the Use of the Army, which if he had not obeyed, was threatened to have his House burnt; so that he was obliged to do what he did for his own Preservation. But this was not sufficient, for being found guilty, he was executed. As he was drawn to Execution, he looked on the People, and said, A Populous Town, God bless it. Just before he was executed, he spake, That the Crime he was accused of, and condemned for, was High-Treason, but he did not know himself to be guilty of it; and that what he did he was forced to do. And further said, I am so well known to you, that I do verily believe you have Charity to think that what I speak is true. As for the Niceties of the Law, I do not well understand them. And much more to the same Effect he spake. And so after Prayer, with his suffering Brother, Mr. Simon Hambling, he was executed.

There was also Executed at Taunton Mr. John Hucker, a very worthy Gentleman of that Town. He had some ill Friends in the Duke's Army, that cast Aspersions on him, as though he was the Person that was a Traitor to the Duke, by firing a Pistol in Sedgmoor; but I have strictly examined many on that Point, and can find it to be nothing but the worst of an Enemy's Malice, to wound him after his Death in his Reputation, which he always valued highly when living. To be short, he was left the Character, amongst his Neighbours, of an Honest Man, a good Christian, and one that was true to the Interest of the Duke, and sealed it with his Blood.

The following Letter my Bookseller received from Mr. Robert Hucker now living in Taunton, which I thought proper to print Word for Word, that so my Reader may see what Care I have taken to have all the Accounts I give concerning Mr. Hucker well attested:—

Taunton, Feb. 24th, 169 .

Mr. Dunton,

Looking over the Advertisements to the Athenian Mercury, I found your Intention of making some Additions to the Book called the Bloody Assizes; and find—others that suffered with my Father, their Relations have Printed their Last Letters; I have here sent you a Letter written by my Father but some Hours before he was Executed; the main Reason why I consented to have it Printed, was, That Persons Mouths may be stopt from their False and lying Accusations; he carried himself like a

## John Hucker.

Christian under Confinement; but when he came to look Death in the Face, it was with so much Courage, that it was to the Astonishment of the Beholders; for there was many a weeping Eye amongst both Officers and Soldiers for him, and those his Fellow-Sufferers. I crave a Line from you of the Receipt of this, with which you will oblige, Sir,

Your unknown Friend and Servant,

ROBERT HUCKER.

### Mr. John Hucker's Letter to his Friend, a little before his Execution.

I Was in Hopes to have had Liberty to speak a few Words at the Place of Execution, till a few Minutes since; but now am persuaded the contrary; Therefore excuse these abrupt Lines.

I bless God, I am now reconciled to this contemptible Death; it was long e'er I could, but now God hath done it for me, and I thankfully submit to it from the hands of the wise God, whom I have offended: And therefore desire to accept my Punishment, knowing he doth all things well, without any Wrong to his Creatures.

I had lately some Discourse with two Persons, whereof one was of Quality, concerning the Things laid to my Charge; I was told, that it was three Things; one was, That I was an Enemy to, or against the Protestant Religion; that I was troublesome, and had acted vigorously in Elections of Members for Parliament; and upheld the Meetings.

I own my self a Protestant, and die Asserter of that Religion, and I pray God I do not prove a better Friend to it than those that have industriously endeavour'd the taking away of my Life, and that they see it not when it's too late.

As to the Meetings, I bless God I ever was at any of them, and that I was any way instrumental to the upholding of them, and am troubled that I have, I fear, sinfully deprived my self of them, and do believe, if ever the Ordinances of God were rightly administered, and the Gospel effectually preached, it was in those Meetings that were held in Taunton; the Lord bless the Seed that was there sown.

As to Elections of Members for Parliament, I judge it my Birthright, and therefore was Industrious in it; but I hope never did (I am sure never intended) Troublesomness to any in it, but especially to my Superiors; I had ever a venerable and due Esteem of Magistrates, as the Ministers of God, and they administering an Ordinance of God.

I also lye under a Reproach of being unfaithful to an Interest that I owned, which I utterly deny and disown.

## The Bloody Assizes.

I pray God bless and forgive my violent Enemies, that have industriously sought the taking away my Life. It's the hearty Prayer of

JOHN HUCKER.

From Taunton-Castle, a little  
before he suffered, Septemb.  
30th, 1685.

[Of John Hucker the Rev. Andrew Paschall, vicar of Chedzoy, gave the following account, in a letter dated 8th April, 1686 :—<sup>1</sup>

“ It is now reported here by some that say they were eye-witnesses that Captain Hucker (who entertained the Duke at Taunton) was the man who discharged the gun (whether carabine or pistoll) at Langmoor Stone [near Sedgmoor] which is sayd to have given the alarme, and that the Duke charged him with treachery and that he had been shot presently had it not been that they feared to make more noise: but who rode then to the Kings camp to call them to armes, according to my servants relation confirmed by Captain Mackenzy, both eye witnesses I do not hear or know. 'Tis certain Hucker was extremely odious to the party as one that they beleaved had betrayed them in so much that when he was in prison, he feared being torn in pieces by the angry women. It was sayd that at his trial, he pleaded this to my Lord Chancellor [Jeffreys] but it did not save him. He had served an apprenticeship with a merchant at Lime. He was the owner of Athelney Farme, that place so famous for King Alfred's lying hid there in the time of the Danes, and breaking out thence into such glorious victoryes and for his building an Abbey there, the foundations of which Hucker, when a builder, took up. He was a partner with and right hand to Prince Rupert and Earl of Shaftesbury and others in their undertaking for the supposed silver mines in this county about ten or twelve years ago. He was addressed to in Taunton by the agitators which were here to prepare things for the Duke, I think, before he landed. He then declared to one whom I know that he would not concern himself in anything against the Government, because he beleaved himself bound in conscience to obey. And being confirmed in that good resolution by that person, he afterwards bitterly repented that he had not taken that good advice, and was seen to lament it with teares, even upon the day of the Duke's being proclaimed King. He had the first information of the Duke's landing, and made it known to a militia colonel. He professed that he meant (being married but a few days before) not to meddle, but being made a prisoner by the militia commanders, he made his escape to Lime and then all his good resolutions came to nothing. He gott a certificate from a justice of peace in Devon of his having layd down his armes within the

<sup>1</sup> MSS. of Mrs. Stopford-Sackville, i., pp. 28-29. The peer to whom this letter was addressed was probably Lord Stawall.

## False Accounts of Kirke.

time limited in the Proclamation [of 24th June—to come in within four days] but on the Sunday before the fight appeared in Bridgewater. His pretence for so doing after he had laid hold on the Kings mercy was that he came to state accompts. He was suspected by the Duke. A guard was set on him, or at the gates upon his occasion to prevent his making an escape. It seems to me likely that he had a mind to secure himself which way so ever the chance of warr, then dubious, should fall. When the horse led by the Lord Grey, being fired at by the King's army, wheeled off to the reare, he rode from the head of his troop southward. His troop was led by his lieutenant, Savage (excepted in the General Pardon), back to Bridgwater, who used his indeavours there to bring them back to fight but could not prevail. He vowed to kill Hucker, his captain, for his base cowardice, if ever he should meet him, but the publick justice hath saved him that labour. But, my lord, I say too much of this man, all the excuse I have for so doing is that if he were indeed the man that discharged the gun, that with the horseman gave the alarme, and so saved the Army and Kingdome, he was for that considerable.”]

### **An Impartial Account of Kirk's Cruelties, with other Barbarities in the West. Sent to the Compiler of this History by one that was an Eye and Ear-Witness to all the Matter of Fact.**

When Kirk came first into Taunton, he came with two Cart-loads of Men Bloody, and their Wounds not drest, just as they were hauled into Bridgwater Prison, they were guarded with Granadeers, with naked Swords and Bagonets. He also brought with him into Taunton, a great Drove of Foot, chain'd two and two together. He hang'd Nineteen on the Corn-hill immediately, not suffering either their Wives or Children to speak to 'em, or to take their Leave of 'em.

As they were executing, he, Kirk, caused the Pipes to play, Drums and Trumpets to sound, that the Spectators might not hear the Cries and Groans of dying Men, nor the Cries of their Friends. He caused their Bowels to be burnt, and their Quarters to be boiled in Pitch, and hang'd all about the Town.

Kirk hanged one on the White Heart Sign-post Three Times, to try if he would own he had done amiss; but he affirmed, (to this Effect) That if it was to do again he would engage in the same Cause; so Kirk would have him hang'd in Chains; and so he was, till King William came to the Deliverance of this Nation from Popery and Slavery.

When Jenkins, Hewlings, &c. were to die, before they came out of the B——l, there was a great Fire made on the Corn-



## The Bloody Assizes.

hill, that so they might see the fire that was to burn their Bowels.

Some that Kirk caused to be hanged, he caused also their Bodies to be stript, and their Breasts to be cleav'd asunder; in the Place where he caused the Executions to be done, you might have gone up to the Ankles in Blood; he also caused the Hearts of the poor Executed Men to be thrown into the Fire with a great Shout, saying, Here is the Heart of a Traitor.

A Captain of W—— was hang'd, and the Rope broke, whereby he hoped to have saved his Life; but they took from a Market-Horse a Ring-Rope, and hanged him again.

At the Assizes, when the Prisoners were brought before the Bar, Jeffreys said, if any Man pleaded Not-guilty, he should die.

One not concerned in Monmouth's Business, when asked, said, Not Guilty, my Lord: Jeffreys said, Take him, Jaylor, and let him be executed another Time.

An honest Man was hang'd for sparing for Monmouth's Horse three Penny worth of Hay.

A Constable also was hang'd for executing of Monmouth's Warrant.

And many Hundreds were put in the Castle-Hall, by which it was feared they would infect the Town. Francis Burges was taken upon Maidendown, by the Persuasion of Sir —— was hang'd by fastning a Rope to a Chamber-Window, and set upon a Hoget, and so hang'd. The Executioner was one S—— of St. Thomas's Parish, Exon.

There was, by good Report, several Scores died in Ilchester by Infectious Diseases, and in their Irons, and Hand-bolts; for if they were not hard-hearted, and us'd the extreamest Rigour imaginable, the Keepers were not counted good Subjects. One of Welinton that was to be hanged then, was saved, supposed by Order of Sir—— and one of Crookern hanged in his stead; this is true, and so it was at other Places: But 'twere endless to record all the Cruelties exercised by Kirk and Jeffreys, after Monmouth's Defeat.

Now that which remains, is to give an Account of Hundreds that had fled and hid themselves up and down in Holes and Rocks, whose Friends made all Application to some great Person or other to procure their Pardons; some to this, some to others, that they thought Favourites with the King; but the Rewards must be ascertain'd before any Application could be made, (for Pardons were just as they were in Rome) according to the Ability of the Person, from Half a Crown to Sixteen Thousand Guineas; any Tooth, good Barber. Divers Lists being sent up, and the Rewards ascertain'd, which amongst many of them put together, did amount to considerable Sums. So that it was now, who could find a Friend to relieve his distressed Relations, which

## Letters to Dunton.

were forced to wander up and down in Caves and Deserts, for fear of being taken. But this Misfortune attended the Agents, that unless my Lord Chancellor were used, by his Creatures that were allowed by him so to do, other Applications commonly met with Disappointments.

To conclude, The Solemn, Serious, Dying Declarations, and Christian Courage of the Western Sufferers, have always outweighed with me the Evidence of those flagitious Witnesses, who swore these Persons out of their Lives. And I did, and do most steadfastly believe, that the only Plot in that Day was the same which the Almighty has at length owned, and most signally prospered, in the Hand of our Gracious, August, and Rightful Sovereign, King William; I mean the rescuing the Protestant Religion, and the Laws and Liberties of England, from a most Impetuous Torrent of Popery and Tyranny; wherewith they were very dangerously threatened. And methinks it should even convert a Tory (unless his Brains were pickt out of his Skull, by him who pickt the Guineas out of his Pocket) when he cast his Eye upon that apposite and Emphatical Expression in the *Observer*, Vol. 2. Numb. 125. To deal free with thee, TRIMMER, I have more faith in the Words of One dying Traitor, under the stroke of Justice, than of Twenty living.

The following Relations were written by Mr. Burd<sup>2</sup> and other West-Country Gentlemen, and were sent to be inserted in our "Western Martyrology."

Mr. Burd lives near Frome, he gives (in a letter hereafter inserted) a Remarkable Account of several Passages; for the Proclaimed the Duke of Monmouth at the Head of the Army, which was unwillingly done by the Duke then: He also saw the Maids of Honour present their Flags, and several come to kiss the Duke's Hand, as King after Proclamation, and presented a Purse of Guineas on their Knees. At this Time one Widow made a Pathetick Speech to him, and delivered her Mite.

As the Army went through Pensford, a Parson came out of an Ale-house, and asked them, Gentlemen, how doth the King do? If he comes this Way toDay I will kiss his Hand, meaning the Duke of Monmouth.

The Parson was indicted first on a single Indictment; after Jeffreys had drank a Bottle of Claret, (as was his Custome) he repairs to the Bench, where being seated, the Parson was brought before him.

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<sup>2</sup> According to the Domestic State Papers of 1681, William Burd was the loyal town-clerk of Taunton. It seems uncertain whether the same family is meant by this account, or whether we have a common mis-spelling of the surname "Bird."

## The Bloody Assizes.

Jeffreys reprimanded the Parson so severely at first, that the Parson was ready to sink for Fear; but recovering himself, said— Not Guilty; alledging he never wore Weapon, nor was in the Army, only stood by on Horseback and view'd the Army.

—Jeffreys replied, There is a worse Weapon than a Sword, that that is a Parson's Tongue, and declared to the Parson, that whoever stood by the Army, or gave a Smile on it, was Guilty of Rebellion: (Tho' a Smile might be in Derision.)

The Parson pleaded, that it was not known that the Duke would have come to Kinson half a Quarter of an Hour before came, and that he had Business that Way, which stopp'd him, and that he was forc'd to stay and see the Encampement, but exchanged not one Word with any belonging to the Army.

The Parson also urg'd, that both the Witnesses against him swore in Malice, because he had put one of 'em into the Spiritual Court for Tithes, and the other Witness he had arrested.

At last Jeffreys demanded if any Neighbouring Gentleman could give a Character of the Parson (tho' he lookt upon all the Gentry thereabouts Rebels).

The Parson alled'g Captain Cox, the Fore-man of the Grand Inquest, knew him; who was sent for . . .

When Capt. Cox appear'd Jeffreys askt him, If he had observ'd all the Ceremonies, and behav'd himself Loyally?

Captain Cox answered, he knew no ill Character of him, &c.—

After this, Jeffreys summ'd up the Evidence against the Parson, but wheel'd at last into this, I fear the Sin of Rebellion lurks under that Canonical Coat, I would have him hang'd to be an Example to others.

Had Burd said he heard the Parson say he would kiss the King's Hand, if he came by that Way, the Parson had certainly truss'd up.

The Parson's Jury brought him in Not Guilty; upon which Jeffreys made him down on his Knees, and bid him go, and Preach for his Sake upon that Text, Fear God, and honour the King, &c.

While this Parson was upon his Trial the Court was interrupted with the Maids of Honour, who came hoping for Pardon; and often the Court was interrupted with Petitions, and Certificates under the Justices Hands, to certify that the Bearers did according to the King's Proclamation come in in Five Days, and therefore expected their Pardon.

It happened one Alderman Holliday's Son was One that came in within the Five Days, and his Father offered to vindicate his Son, and to be Bail for him; (for all that came within the Time, he made them give special Bail) Jeffreys said, He knew many Aldermen were Villains, and he hoped to beat some Furr out of their Gowns.

Then he began to Trie the Two Hundred odd Men: Burd was in the Front, as their Names were called; he made every Man

## Letters to Dunton.

shew his Face; for if they were in years, they had been Rebels ever since Oliver's Time, their Age tried them. But for further Confirmation of some of these Particulars, we refer you to Mr. Burd's Letter, directed to Mr. John Dunton, in these Words:

Beckington, June 24th, 1702.

Sir,

Looking over a Book lately, Intituled, A Panegyrick on the Lord Jeffreys, I find a great deal therein contained true to my own Knowledge, and therefore doubt not of all the rest, for I was One my self condemned by him at Wells Assizes, and my getting off next to a Wonder to all that heard thereof; the Particulars whereof, and the Manner how, being too long and tedious, I shall not trouble you therewith; only being informed you intend to Reprint your Bloody Assizes, I thought it not amiss to acquaint you with two or three of the most material Passages that happened within the Compass of my own Knowledge and view. When I was committed a Prisoner to the Bath, where I lay fourteen Weeks, I found there seven and twenty more confined in a little Room, some lying on Boards, others through much Difficulty had obtained the favour of straw to lye on. Among those aforementioned there was two poor Men, who lived in or about Taunton or Illminster, whose Names were William Huffey, a Worsted Comber, I judge about seventy Years of Age; he alledged he went into the Army to fetch Home his Son, being himself past engaging in War; Thomas Paul, I think of the same Occupation, and upwards of sixty Years old, but a Quaker. This said Huffey and Paul were never under the least Apprehension of suffering during their fourteen Weeks Imprisonment, till the very Day they were condemned, the said Huffey often times affirmed, he was never out with the Duke's Army; and the said Paul being Unkle to a very Great Man's Chaplain at Court; the said Chaplain was his chief Dependance, and promised him a Pardon by his Interest. Now it so happened, that the Prisoners commonly about once a Week had Liberty from their Keeper to go out of the said Prison, hand-bolted two to two, to the said Keeper's House, for an Hour or two, to divert and recreate themselves; and commonly these two ancient Men, Huffey and Paul, were linkt together, and they would both of them generally take that Liberty to drink till they were a little merry and brisk; and when they return'd in that Posture to the said Prison, it would be most Times the usual Custome of William Huffey, (as soon as ever the Keeper had took off their Hand-bolts) to strike the said Thomas Paul on the Shoulder, jocosely saying, Never fear, Tom Paul, if thou and I be hang'd we'll hang Cheek by Choul; which Expression I often times heard, though I did little think at that Time either of them would sufer; but it so happened, that contrary to both their Imaginations they were hang'd Side by Side. The Day after they were condemned, I accidentally met with the said William Huffey,

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walking out in the middle of the Cloisters at Wells by himself, with his Hat over his Eyes, very melancholly, weeping, at which I was a little surprized, and ask'd what was the Matter? He replied, with Tears in his Eyes, Ha! Mr. Burd, I look upon my self now, and never till now, a dead Man; you are a Young Man, and if you can get off this Business, you may live to see many Years; and remember that I told thee so, before the Year 88 be over, you will see all Things turn'd Upside down, and King James, for what he had done, would be turn'd out, and another would come in, and effect what was then begun; and with a great deal of Earnestness and Zeal doubled over his Words again; but at that Time thinking what he so earnestly affirmed was the Effect of his Concern for his own Death, I did scarce ever recollect what he then affirmed, till 88 was over, when I saw all Things exactly happened as he before had told me. Another Passage I took Notice of among others, was, when I was at the Bar to receive my Doom, One of Judge Jeffrey's Officers told the Judge there was One of the Maids of Honour (so call'd, because 20 or 30 of that Sex presented Flags to the Duke at Taunton after he was proclaimed King) come to surrender her self, begging Mercy at his Hands; whom when he saw, he lookt on her with a very fierce Countenance, raving at her, &c, bid the Goaler take her, which struck such a Fear into the Poor Girl, that she pull'd her Hood over her Face, and fell a weeping; and the Goaler, according to the Command of the fierce Judge, took her away immediately out of Court; and, as I was afterwards informed, she died in his Custody not many Hours after for Fear, as our Lord Mayor died for Fear of Jeffreys, when brought before him. When I my self received my sentence, there was another Young Man hand-bolted to me, whose name was Jacob Tripp, about 21 Years of Age, and so stout and brisk that he would almost attempt to fight a Lion: I could tell you all his Case and Circumstances as well as my own, but 'twill be too large to insert here; only this much will I hint about him, He was always of the Tory Party, but he fell in with Monmouth's Men; it so happened, that after Sentence past on both of us, we were at the same Time both taken very dangerously ill, in a very malignant, infectious Feaver, during which Illness a Reprieve came for both of us for so many Days, which Days being expired, Tripp's Enemies, his Brother Tories (which before were his chief Confederates and Acquaintance) they said he deserved worse Usage than those who always had been such, by their unwearied Diligence had obtained an Order for his Execution, he being at that Time so ill, that he had not been sensible for near a Week before, and his Physicians gave him over for Dead, and did affirm it impossible for him to live 24 Hours, yet to shew their unbounded Rage, they immediately got him lifted out of his Bed, where he lay senseless and a dying, wrapt him up in his Sheets, laid him in a Chair, where two Men carried him to the Market Place in Wells, the Place of

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Execution, where they hung him up, and quartered him (when he was as senseless as a Stock or Stone) before a great many Spectators, many of which took the Infection of his Distemper, together with Abundance of the Soldiers, which caused them to die like ban'd Sheep; and this Infection spread afterward far and near round the Country, to the Loss of a great many Peoples Lives. I could tell you more remarkable Passages, but doubting I am too large in these already mentioned, let this suffice, from

Your Humble Servant unknown,

JOHN BURD.

### POSTSCRIPT.

Mr. Dunton.

You may, if you please, correct this, and put it into some better Stile if you think fit, but the Matter of Fact is all true to my Knowledge, as I have truly and impartially related the same; for I had the Honour to be known to the Duke of Monmouth before he came into England on that unhappy Expedition, which made my getting a Pardon so difficult, that had there not some Disgust happened between some great Men concerning me, scarce any Price would have purchas'd it; for thus it was, That very Night the Rout was, being on a Sunday about 8 of the Clock, there came a Foot-messenger to the Duke into the Field near Bridgewater, and gave him an Account what Posture the King's Forces (then at Weston on the Edge of Sedgmore) lay in; the Duke gave him a Gratuity, and sent him back again to make a further Discovery, and bring a further Account thereof, but he was unfortunately taken, and returned no more; upon which the Duke riding into the Town, his Horse in a very strange and unusual Manner threw him, which I often times since thought was Ominous: About 11 a Clock at night the Army marcht out of Bridgewater towards Weston, which proved a Fatal Night. The Night after, being Monday Night, I was taken about 20 Miles distant at a By-Alehouse, with two Young Men, (one a Londoner) our Horses being carried to Bath, and we to be sent after with a Guard; but I, having an Opportunity, got off, and left my Comrades behind, who I understood did also follow my Example; but being taken again the same Day, and delivered into the Hands of a Roman Catholick, he took Care, and conveyed me to Wells before the Lord F——, who with the King's Army was arrived there from Sedgmore; his Lordship being prepossest against me, would hear nothing at all; I offer'd to speak, but told me, I should be hang'd, &c., and immediately sent me a Prisoner to the Lower Church in Wells, which was then full of the same sort of Spark; and under a Multitude of Passages that happened, too tedious to relate, I had not been there above two Days and Nights, but I was unexpectedly released, by Means of the Bishop of W——r, who had obtain'd my Lord F——, to require all Officers, Civil and Military, to suffer me to pass to

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my Place of Abode; notwithstanding which (as I was in my Journey) I was again seiz'd, and hurried away to Bath, and there had before another great Man, which was exasperated against me also by the Information of some Enemies, that had told him how great a Rebel I had been, and that I had proclaimed the Duke King in the Presence of four thousand Men, &c., which appeared so very visible by their offering to swear it, the said Great Man in a Fury told me, he would secure I should be hang'd, notwithstanding my Pass; and so sent me to the Common Goal in Bath, where I remained about 14 Weeks, and then was had to Wells, and there condemn'd. But I had forgot to mention, that as soon as I was committed to Bath Prison, I sent a Messenger to Wells, to acquaint the Bishop of W——r, that notwithstanding his and my Lord F——'s Pass, I was again recommitted to Bath Prison; which he seemed to be much concerned thereat; but in the End I was given to a Pardon-monger, and he made his Market upon me, tho' afterwards I was told (when too late) that the Judge had Instructions from above, that I should not suffer. When I was at the Bar, it was in the Front of above 200 more, that all received Sentence together; unto whom the Judge made a Speech of above an Hour long, to wheedle them all into a Confession, by quoting Places of Scripture, to set forth the Hainousness of their Crime of Rebellion; and then comes with a long Harangue, telling us, how merciful the King was, and how ready he was to shew Mercy to the worst of us; in which he had this lofty Expression (which I remember I did not then believe) Nay, says he, (and thumps the Cushion) I had almost said, the King is more ready to forgive, than you were to rebel.

Amongst the Barbarous and Inhumane Actions mentioned in the preceding Sheets, there having been but very little mentioned of the Illegal Whipping-Sentences, pronounc'd by the merciless Judge, or rather Hang-man, Jeffreys; the Editors of this Edition have procured a Relation of the said Whipping-Sentences, from a Gentleman that was a Prisoner in Dorchester Goal, and saw the Execution of them upon the Persons sentenc'd; which in short are as follows.

### The Case, Trial, and Sentence of Mr. John Tutchin, and several others, in Dorchester, in the County of Dorset.

[This account of Tutchin's trial and conviction is false. He was tried as "Thomas Pitts," and thus escaped an indictment for high treason. Not only did he plead guilty, thus rendering the story of an altercation between Jeffreys and himself impossible, but also the seditious words spoken by him are entered upon the record. He had proclaimed "that Hampshire was in arms for the Duke, that he had seen both horse and foot on the hills near Christchurch, and that Argyle was in great strength and on his

## Tutchin's Story.

march, within 60 miles of London." He was then sentenced to a fine of 5 marks (£3 6s. 8d.), to be whipped, to be imprisoned seven years, and to enter into recognisances for good behaviour during life. Mr. Inderwick, Q.C., in coming also to these conclusions,<sup>3</sup> points out that William Wiseman, convicted at Dorchester at the same time, was fined £100 and ordered to be whipped at every market town in the county, and that Tutchin appears to have adopted this sentence as his own. "Whatever may have been the extent of whipping to which Tutchin was sentenced, he did not undergo any strokes of the cat, for an attack of smallpox relieved him in the first instance, and he was discharged from prison by Chief Justice Herbert on March 11th, 1685-6 (that is, on the very first day after the King's General Pardon) on paying to the King his fine of 5 marks: an amount which has been, with some exaggeration, described as a bribe which reduced him to beggary."

The story of the petition to be hanged was one of the customary pieces of embroidery with which Tutchin invariably graced most of his libels. Nor is it probable that he would have been allowed to visit Lord Jeffreys in the Tower.]

We must put Mr. John Tutchin, a Young Gentleman of Hampshire, in the Front of the Persons sentenc'd to be whipp'd, for perhaps no History can parallel the Sentence given against him.

This Young Gentleman had the Misfortune, with many others of his Acquaintance, to be in the Interest of the Duke of Monmouth, but had a better Fortune than many of 'em, by concealing his Name: For when he was taken a Prisoner by the Country Guard, he was committed to Prison under the borrow'd Name of Thomas Pitts, and his real Name was not discovered till after he was acquitted of the Rebellion, [for which he was never tried] no Person appearing as Evidence against him.

But Jeffreys having discovered his true Name before Mr. Tutchin was gone from the Prison, was resolv'd upon Revenge, and said, he was never so far outwitted, by an Old or Young Rogue in his Life; and after he had examined Mr. Tutchin to many Particulars, by which Mr. Tutchin knew that Jeffreys had a true Account of him; for he told him the Time when he was in Holland, the very Place where he lodg'd there, the Manner of his coming over, and the Name he went by at that Time; and finding Mr. Tutchin would not answer to some Questions he ask'd him, concerning some Gentlemen in Hampshire, who were concern'd with Mr. Tutchin in raising some Men at Lymington, for the Service of the Duke of Monmouth, I say, after this, he was resolved to try Mr. Tutchin again.

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<sup>3</sup> "Side-lights on the Stuarts," first edition, 1888. This sets out the Gaol Book. The imperfections of this are so great that I have made little use of it, and as the judges' lists were the latest in date of all the official documents, they are also more authoritative.



## The Bloody Assizes.

But Mr. Tutchin still pretended Ignorance in these Matters to his Prison-keeper, who was set upon Mr. Tutchin by Jeffreys, to bring him to a Confession; but the Goal-keeper, whose Name was Knapton, tho' he seem'd an Enemy to the Duke's Men, colour'd many Things that might have taken away the Lives of several, and did what he could to allay the Heat of the implacable Judge.

Having given no ill Character of this Goaler, Mr. Knapton, it may be a pardonable Digression, to tell the Reader something of another, which I had from the Mouth of Mr. Tutchin: When Richardson, the Keeper of Newgate, brought down the Hewlings, and some other Gentlemen, to Dorchester against the Assizes, the said Richardson drinking with another Goaler, said, Come Brother, here's to our good Health; this is our Time to make our Fortunes, and now we must lay aside all Humanity, for no Compassion is to be shown to these Dogs.

But to return to Mr. Tutchin, he was brought up again to the Hall; but Jeffreys not caring to indict him for Rebellion, pretended that the Crime of changing his Name deserved a severe Sentence; and thereupon pass'd Sentence as follows: That he should remain in Prison during the Space of Seven Years; that once every year he should be whipt thro' all the Market Towns in Dorsetshire; that he should pay a Fine of one hundred Marks to the King, and find Security for his good Behaviour during Life. This, you will say, was a Whipping-Sentence indeed.

It was observable, when this Sentence was past upon Mr. Tutchin, that the Ladies in the Court, of which there were a great many, all burst out a crying; but Jeffreys turning towards them, said, Ladies, if you did but know what a villain this is, as well as I do, you would say, this Sentence is not half bad enough for him.

Upon passing the Sentence, the Clerk of the Arraignment stood up, and said, My Lord, there are a great many Market Towns in this County, [eleven] the Sentence reaches to a Whipping, about once a Fortnight, and he's a very young Man. Aye, says Jeffrey, he's a Young Man, but he's an old Rogue; and all the Interest in England shan't reverse the Sentence I have past upon him.

But certainly no Devil incarnate could rage, nor no Billingsgate Woman could scould worse than this Judge did at this young Gentleman whilst he was at the Bar; he call'd him a thousand Rogues and Villains, told him that he was a Rebel from Adam, that never any of his Family had the least loyalty; and, said he, I understand you are a Wit and Poet, pray, Sir, let you and I cap Verses. Mr. Tutchin smiled in his Face, and told him, he knew upon what Ground he stood, and when he was over-match'd.

Lying under this Barbarous Sentence, Mr. Tutchin's Friends endeavour'd to persuade him to sue for a Pardon; but he utterly refus'd it, and drew up a Petition with his own Hand, which was presented to the King at Winchester, and was as follows:

# Tutchin's False Petition.

## TO THE KING'S MAJESTY.

The Humble Petition of John Tutchin of Lymington in the County of Southampton, Gent', now a Prisoner in the County Goal of Dorset.

SHEWETH,

That your Petitioner now lies in this Prison under Sentence of the Lord Chief Justice Jeffreys, to remain in the said Prison during the Space of Seven Years, that once every Year he shall be whipt through all the Market Towns in Dorsetshire, that he shall pay a Fine of one hundred Marks to the King, and find Security for his good Behaviour during Life.

That this Sentence was past upon your Petitioner under Pretence of his having changed his Name, and no Matter of Treason or Rebellion being proved upon him.

That your Petitioner has always demeaned himself according to his Duty required by Law, and that he is ready to venture his Life in Defence of a Lawful King, that shall govern according to Law, in Preservation of the Liberties of Englishmen.

That he humbly conceives, the Sentence pass'd upon him by the said Jeffreys is worse than Death; and therefore

Humbly prays your Majesty will be mercifully pleas'd to grant him the Favour of being hang'd with those of his Fellow-Prisoners, that are condemn'd to die; and till then

Your Petitioner will every pray, &c.

JOHN TUTCHIN.

And underneath his Name were written these Words, *Malim mori quam vapulari.*

You see by this Petition that Mr. Tutchin was a young Man when he wrote it; for many Exceptions were made against it: To the King's Majesty, instead of the King's most Excellent Majesty; and you may be sure, the Western Hangman did not overlook his calling of him plain Jeffreys in the Body of the Petition.

But the Court esteem'd it a barbarous Sentence; and it's said, the King esteem'd it no less. But all the Answer could be got, was from the Lord Sunderland, that Mr. Tutchin must wait with Patience.

Mr. Tutchin hereupon endeavour'd to get a Pardon from the People who had Grants of Lives, many of 'em 500, some 1000, more or less, according as they had interest in the King; but Jeffreys would not so much as hear his Name mentioned, and the Sentence was ordered to be executed.

Four or five Days before the Execution of the Sentence a Brother in law of Mr. Tutchins, a Physician, persuaded him to

## The Bloody Assizes.

take a Dose of Physick to make himself sick, by which Means the Execution might be put off, and perhaps in that Time some Means might be found for his Englargement: He took the Dose, and in three or four Days the Small-pox came out very thick upon him, no Man ever had 'em to a higher Degree; and in that Condition he lay by himself in Prison, no Body to look after him but his Fellow-Prisoners, for there being a Pestilential Distemper in the Prison, of which some Scores died every Week, the Magistrates of the Town would not suffer any communication with the Prisoners.

Mr. Tutchin lying in this miserable Condition, and his Life being despair'd of, his Friends work'd the easier with Jeffreys to get the Sentence revers'd, which some People would have believed a Sign of Repentance in Jeffreys, had he not taken the Money himself. After Mrs. Tutchin had done this last kind Office for her Son, she sickned of the Small-pox and died; his Brother and two Sisters fell sick of the same Distemper; so that when Mr. Tutchin had Friends allow'd to come to him, like Job's Comforters, they brought him the Tidings that his Mother was dead, and all the Relations he had in the World were a dying, and that they had contracted for a Pardon for more Money than he was worth, for a Life which he never valued. So he was popt into a Pardon amongst others; for 'twas usual at that Time for one Courtier to get a Pardon of the King for half a Score, and then by the Assistance of Jeffreys to augment the Sum to Fourscore or an Hundred, and so this unfortunate Gentleman fortunately got out of his Broil.

But we must not leave Mr. Tutchin here, tho' what afterwards we shall say of him, does not relate to what was transacted in the West, yet it may not be amiss to show how the Providence of God does often change the Face of Things, and alter the Circumstances and Conditions of Men, so that those who boast of their power and exercise their Authority with the greatest Severity, many Times become the Scorn and Contempt of those they have triumph'd over: Who could have thought, when Jeffreys past that Sentence on Mr. Tutchin in the West, that ever Mr. Tutchin should see that wicked Judge a Prisoner, apprehended by the injur'd People, and committed by a Tool of his own Party? Yet it so happened.

For Jeffreys endeavouring to make his Escape beyond Sea in a Sailor's Habit, was discovered by one, to whom he had done some Acts of Injustice, and was taken in Anchor-and-Hope-Alley in Wapping, and by the Mob carried before the Instrument of Popery, Sir F—— C——, [Sir John Chapman, a Nonconformist], then Lord Mayor of the City of London, and by him committed to the Tower.

Mr. Tutchin hearing of this, went to give his Lordship a Visit; who did not know Mr. Tutchin at first, he being much

## Whippings.

altered with the Small-pox; but Jeffreys understanding who he was, told him he was glad to see him: Mr. Tutchin answered, He was glad to see him in that Place. Jeffreys returned, That Time and Place happened to all Men, and that when a Man was born, he knew not what Death he should die, nor what his Circumstances should be in this Life, and Abundance of such Cant; but added, That he had served his Master very faithfully, according to his Conscience. Mr. Tutchin ask'd him, Where his Conscience was when he past that Sentence on him in the West? Jeffreys said, You are a young Man, and an enemy to the Government, and might live to do Abundance of Mischief; and 'twas part of my Instructions, to spare no Man of Courage, Parts, or Estate; but withal added, That his Instructions were much more severe than the Execution of them, and that at his Return he was snub'd at Court for being too merciful. So after he had treated Mr. Tutchin with a Glass of Wine, Mr. Tutchin went away.

Soon after this, Jeffreys had a Barrel of Oysters sent him to the Tower, which he caused to be opened, saying, He thank'd God he had some Friends left. But when the Oysters were tumbled out on the Table, a Halter came out with them, which made him change his Countenance, and so pall'd his Stomach, that he could eat none of them. This was confidently reported to be done by Mr. Tutchin; but I having heard him protest that he was not in the least concerned therein, we must believe it to be done by another Hand.

The Second in the List of Persons sentenc'd to be whipt, is one William Wiseman, a Boy of about 14 or 15 Years of Age, at that Time an Apprentice to a Barber at Weymouth. It seems the Duke of Monmouth's Declaration was put up in that Town in the Night time, and some People who could not read, finding it in the Morning, took it down, and this Boy being by, read it to them. This was his Crime, for which Jeffreys sentenc'd him to be whipt through all the Market Towns in Dorchester. (See Appendix A, List 4.)

Sentence was accordingly executed first at Dorchester, where in Consideration of the Boy's Age he was whipt more gently than some People thought convenient.

Upon which a Celergy-man of the Church of England, named Blanchard, came to the Goaler, and revil'd him, saying, He would do his Business for him with the Lord Chief Justice, for shamming his Sentence, in not whipping the Boy half enough. The Goaler breaking out in a Passion, said, You talk of the Cruelties of the Popish Priests, but commend me to a Church of England Priest for Cruelty: They are like the Country Justices, who won't believe a Man is burnt in the Hand unless they can see a Hole through it.

Whether this Parson made the Complaint, or no, is uncertain; but sure it is, Complaint was made, and the Boy was order'd to be whipt again the Morrow following the Day he was whipt

## The Bloody Assizes.

before; which, to please this Parson and Jeffreys, was done to that Degree, that the Boy fell into a Fever, which was likely to have cost him his Life. After Jeffreys had left the Country, he was whipt thro' the Town of Weymouth, and there the Sentence terminated.

The Third in this List was one Edward Jervaise (Jervis), a Hatter of Milbourn Port. This Man, it seems, being in some Company, happen'd to say, that he had a Monmouth in his Heart. Upon which he was apprehended, and sent to Dorchester Goal. This Man was a Criminal in another Respect, which was enough to hang any at that Time of Day; for he had three or four Uncles, and other Relations in the Duke's Army. I was told one of his Uncles, being taken a Prisoner by Kirk, was immediately order'd to be hang'd up, but being a brave stout Man, some of Kirk's Officers interceded for his Life, which Kirk was willing to grant, provided he would acknowledge his Rebellion; which he refused to do. At length they would release him if he would say, God bless King James, which he also refus'd; and so was hang'd, and the last Words he said was, God bless the Duke of Monmouth.

His Nephew Edward, when he came into Court, could not deny, that he had Monmouth in his Heart, and thereupon was Sentenc'd to be whipt through all the Market Towns in Dorchester, paying a Fine to the King.

Upon passing of the Sentence, he steps to Mr. Tutchin, (then in Court, and who had received Sentence before him) and said, Master, I understand the Jig we are to dance well enough; but what must we pay this money for? Mr. Tutchin answered, You never knew People Dance without Musick, and this Money is order'd to pay the Fiddlers. Nay then, says Jervaise, 'tis well enough; and went away with the least Concern that could be. He was whipt through Dorchester and his own Town, and no more.

The next was a Woman of Lyme, who kept an Alehouse, and brew'd her own Drink. Two or three Days after the Duke of Monmouth landed, the Excise Officers came to her House to collect the Duties, but she refus'd it, and said, she would pay no more Excise till the Duke of Monmouth was King of England. For which Crime she was sentenc'd to be whipt through all the Market Towns in Dorchester, and was whipt through Dorchester and Lyme, and no farther. For when Jeffreys was gone out of the Country, the Justices were not so severe, and conniv'd at the Goalers stopping Part of the Sentences.

There was another in Dorchester Prison, that was alike sentenc'd to be whipt; he profess'd himself to be an Astrologer and Physician, but was very unluckily misled by the Stars into the Country at this Time; for coming to a Corporation Town to vend his Physick, and tell Fortunes; the People not knowing but that he was a Conjuror indeed, desired him to consult the Stars about the Fate of the Duke of Monmouth then in Arms; he erected his Scheme, and found that King James would be ruin'd and

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undone, and that the Duke of Monmouth would happen to be King in a short Time, which coming to the Magistrates Ears they committed him to Prison, where he erected another Scheme concerning his own Fate, when he found by the Stars that he would be whipt at the Cart's Arse for erecting his former Scheme; which proving true, he could not say that the Stars always deceiv'd him.

Thus I have given you a short Account of the Whipping-sentences in Dorchester, which Sentences, together with some others executed before that Time, were made an Article against the late King James upon the Revolution, and are included in the Bill of Right; so that no King of England for the future can be guilty of such illegal Barbarities without Reflection on the Fate of that unhappy Monarch.

In this Prison at one Time there was in one Room Nineteen young Gentlemen and not one of 'em 21 Years of Age, and all of them hang'd, except Mr. Tutchin.

In this Prison was Major Holmes, who had been a Lieutenant-Colonel in the Duke of Monmouth's Service; he was taken a Prisoner after the Phillipsnorton Flight, and though his Arm was shot to pieces, so that it hung but by a piece of Flesh, the barbarous Soldiers stript him stark naked, and carried him before a Justice of Peace, who being at Dinner, order'd him to be kept till he had dined. The Servants got the Colonel into the Kitchen, and gave him some Cloaths to cover his Nakedness, and some Refreshment; in which Time the Colonel laying his scattered Arm on the Dresser, with the Cookmaid's Knife cut off his Arm with his own Hand. [Impossible!]

I mention this gentleman, because perhaps there was never more Indignity offered to Grey Hairs and real Worth, than in the Person of this Colonel Holmes. One Day he was sitting in a little Garden in the Prison with the Hewlings and about three more young Gentlemen, when a certain Lord, well known at that Time, came and insulted him, and told him, It was a Shame to see an old Man among a Parcel of Boys. Mr. Tutchin told his Lordship, That the worst Boy there durst fight him for his Life, Said the Colonel, My Lord, these are Boys, but they are brave Boys; and let me be well mounted in the Head of these Boys, we'll fight for our Lives your Lordship in the Head of the best Troop of Guards. The Indignities offer'd by that Lord was far beneath a Gentleman, and suitable to the Courage he show'd in the late King's Service; but when he went from this Company to the Common side, he was there as much insulted by one Furrard, a Highway-man, who call'd him a thousand Rogues, Villains, and Cowards.

Indeed the Usage of the Prisoners was barbarous enough, the Goalers were forc'd to show them to every little Fellow in Authority, so that they were daily insulted, and paid dear enough for every Thing they had; but what was most barbarous, they would not allow their Relations to come to them in the Time of their Sick-

## The Bloody Assizes.

ness, so that many died for want of Help in a Pestilential Distemper, the like perhaps was never known. The Small-pox at that Time was the worst that was known, very few recover'd of it. Mrs. Mary Blake, a young Lady of Taunton, who was committed to this Prison for making the Colours represented to the Duke of Monmouth, died of this Distemper, to the great Grief of her Family; as did several others.

But the greatest Persecutors and Insulters of these poor People were the Country Parsons: They did not preach to the Spirits in Prison, but they revil'd 'em. One of 'em, when he heard some condemn'd Persons in Prayer just before their Execution, said, These Fellows will pray the Devil out of Hell; and the Prison was seldom free of the Black-Coats.

But, thanks be to God, we now speak of these Things only, and don't see 'em; and that those who are now living, though they have lost their Estates, yet they see what they contended for, I mean their Liberty and Property establish'd.

Thus have we given you an Account of what happened in the West (in the Year 85) being in every Point Truth; we shall give a short Touch of the Civilities the poor Sufferers received from the City of Exon, which deserves an everlasting Remembrance. Most sorts of Provisions, as hot Broth, boyled Meat, roast Meat, divers sorts of Pies, were daily sent into the Prison; the Persons that sent them unknown to them. Also if any Person was sick, there should be a Nurse to attend him; also a Physician and Chyrurgeon to attend when Occasion was. 'Tis said, He that giveth to the Poor, lendeth to the Lord; the Lord return them an Hundredfold.

Thus, Reader, by the Help of God, we are come to an End of our Long Journey, from the Year 1678 to 1685. The Way all along has been full of Dirt and Blood, and therefore no Wonder if the Wheels have driven somewhat heavily. 'Twill be worth thy while as well as mine, to look back on the different Stages we have taken, which is one of the greatest Pleasures of a Traveller, who finds Delight on reflecting even on that which formerly gave him Pain and Trouble. He who first broke the Way, was Sir Edmund-bury Godfrey, according to his own Prophesie, That he should be the FIRST MARTYR. Mr. Arnold was like to follow him, but that intended stroke not coming home enough, they resolved to lay the Foundation firmer, and so stuck lower, and began with Stephen Colledge at Oxford, who before his Death said, That it wou'd NOT STOP THERE, nor his Death satisfie those who thirsted after Blood; as appeared plain enough, when they had got a Plot and Plotters to their Minds, who made it their Business, as Walcot tells Cartwright, to invite Men to their Meetings, to importune 'em to their Meetings, as it appears, to talk madly and treasonably at those Meetings, and because they were a little too brave to do the same by them, after all to deliver them up to be hang'd for coming thither, by which Design many of the boldest Patrons of their Country and Religion were destroyed; to whose

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Death an Infamy was added greater than that of those who publickly suffer'd. Russel follow'd but too closely after him, who says in his Speech, He wishes the Rage of hot Men and particular Juries might be stopt with his Blood, which he would offer up with much more Joy, if he thought he should be the Last there were to suffer in such a Way. About the same Time died Walcot, and some others. Col. Sidney came after, one of the first that ever lost his Head by Innuendo's, and who died, as he was told, because else the Plot must have died. Holloway came next, brought from t'other World to be hang'd in this; whose ingenuous Confession no doubt did his Business, there being too many bold Truths in't, which some Men could not bear, for him ever to expect a Pardon. But how many Lies besides there might be in his Confession, or others, 'tis impossible to know, unless we knew, not only whose Hands they came through, but how they were there used. And as he from another world, so Armstrong was brought from another Country, to be paid for all his Service to the Royal Family, in their Exile and afterwards. And tho' he was not hang'd first, and try'd afterwards, yet what's much the same, was hang'd without ever being try'd at all. Next to this we took a View of the Design of that unfortunate Gentleman who landed in the West, and of those who embark'd in it, and how far they were justifiable; where follows a particular Account of some of the most eminent amongst 'em, and a more general one of the rest; which thought it might have perhaps been more accurate, yet 'twas thought better to keep near those loose Papers already publish'd on the Matter, of which this Book is a sort of a second Edition; and to give that Account in the same inartificial Dress which 'twas delivered in by some honest Country-men, who were personally present at most of the Actions and Suffering there mention'd. And among all these, nothing is more remarkable than what we have taken particular Notice of, The strong Persuasion and Belief in which almost all of 'em dy'd, That God would accomplish the great Work of delivering their Country and Religion some other Way, though he was not pleased to accept of their Endeavours. At the Return from the Western Circuit, that London might have a little sprinkling of their Mercy, the pious and prudent Mr. Cornish was sacrificed; all whose Time of Preparation for that which must be call'd his Trial, was from Saturday to Monday, whose Courage and Constancy at his Death, and that dreadful Storm which spoke the Displeasure of Heaven in such loud Language after 'twas over, were as much the Wonder of England, as the next and last merited their Pity, poor Bateman, who had intirely lost his Reason by his Imprisonment, and the Accidents thereof. But besides all these, and some others, there were some who had Trials of cruel Mockings and Scourgings, were exposed in the Pillory, and worse than whipt to Death, though sometimes even that not thought sufficient, without actual Assassination.

Upon the intire Review of all this dreadful Scene of Blood and



## The Bloody Assizes.

Horror, especially that relating to the Western Affairs, what can be a more natural and useful Reflection, than for us hence to learn, by Wounds of our own, yet green and bleeding, the true undissembled Kindness of prevailing Popery, and Popish Councils, and what all Protestants, of what Character and Denomination soever, must expect thence, when rampant and powerful? How can we chuse but see, unless we have winkt our selves quite blind, that the Hand of the same Joab has been in all this? That 'twas the famous D. of Y., who was at first as deep in Godfrey's Murther, as in the Fire of London; the same who was at Helm all along after, and as good as managed the Executioners Axes and Halters for so many years. 'Twas he who was no near at Essex's Murther, and who hindered so carefully my L. Russel from his Pardon; who was the Staff, the Hope, the Moses, the Gideon of the Popish Plot and Party, and the eager and inveterate Enemy to the very Name of a True Protestant. He who shew'd so much Mercy to the poor West-Country Men, Women and Children, destroying so many Hundreds in cold Blood, and hardly sparing one Man that could write and read, by his L. Chief Hangman, Jeffreys. Lastly, he who was falling upon his own best Friends, who are now sensible they lov'd him to a Fault, and carried their Loyalty to such a Heighth for his Service, as is now better forgotten, since no Party can entirely clear themselves even of that Imputation. He who fell upon them, and our Religion and Laws, and whatever was dear to us, with the greatest and most open violence; and because he could not have his Will, and be a French King in England, resolv'd to leave us to the Mercy of his own unkenell'd Irish, and go to France, to be there as absolute a Slave as he here would have made us. And yet this is the self-same Person whose pretended Son some are still so zealous for, as if they had not yet had enough of Popery.

But whilst these Haters of themselves, as well as their Religion and Country, must be left to Man's Justice and God's Vengeance, let's address the Conclusion of these Papers to all True Honest Men, of good Principles, and firm to the Protestant Religion, and persuade them to pray heartily for our Glorious Queen A N N E, and Fight for her as heartily too, as all these Martyrs, no doubt, would gladly have done. If some of them should not be entirely satisfied with whatever has happen'd in this great Change, yet to remember at the lowest the Duty of Subjects; to think all the Nation may see more than they; to pay Allegiance where they find Protection; to reflect on our almost too happy Condition, compared with that of Germany, Italy, &c., and where-ever the French and Popish Arms and Counsels prevail; to honour the Memory of these Martyrs, who suffered for their vigorous Appearance against them; and lastly, to thank God sincerely and in good Earnest, that we may now, if Occasion be, defend our Religion and Liberties with our Swords, which they could only do by laying down their Lives.

FINIS.

## SECTION IV.

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# "AN IMPARTIAL HISTORY OF THE LIFE AND DEATH OF GEORGE, LORD JEFFREYS, LATE LORD CHANCELLOR OF ENGLAND."

[In the days of ancient Rome, Cicero laid down a primary rule to be followed by all historians. They should never dare to write what was false, said he, nor should they lack the courage to tell the truth.<sup>1</sup> Yet whenever writers have attempted to describe Lord Jeffreys and his times, both parts of this rule have been disregarded.

Until recent times, when the late H. B. Irving achieved a partial vindication of this great judge, the biographies of George Jeffreys have been nothing better than abusive libels, all of which have been written, without any exception, by Whigs. Every fact of his career has been traduced—and traduced with impunity, for the history of the reigns of the last two Stuart kings has yet to be written, and the Tory memoirists, from whom we should naturally expect a defence of Jeffreys, abandoned him at the Revolution.

Whig enmity is easy to be understood. Jeffreys was the great upholder of the Royal prerogative. We may not be entirely in sympathy with an attitude and advice which would be impossible in these days of democracy, but it is certain that Jeffreys' advice brought about the downfall of the Whigs at the end of the reign of Charles II.: hence their natural hatred of him. The true facts of George Jeffreys' earlier career are now beyond possibility of dispute and are as follows:—

Born in 1648, and the sixth son of John Jeffreys of Acton Park, near Wrexham, George Jeffreys, the future Lord Chief Justice of England and (later) Lord Chancellor, came of a long

<sup>1</sup> "*Prima est historia lex, ne quid falsi dicere audeat, deinde ne quid veri non audeat* (Cicero. *De Orat.*).

## The Bloody Assizes.

line of distinguished Welsh ancestors. In the Long Parliament of Charles II., as well as in the three Parliaments which succeeded it, John Jeffreys was member for Brecon Borough, and had been Sheriff of Denbighshire in Cromwell's time. John Jeffreys outlived all his sons, of whom he had seven, as well as one daughter, by his wife Margaret, daughter of Sir Thomas Ireland of Beausay, Warrington.<sup>5</sup> George was the sixth son, his elder brothers being John, who died in 1670 aged 34, leaving a son, Sir Gruffyd Jeffreys, of Acton; Edward, of whom nothing is known; Thomas, who became a knight of Alcantara and had a distinguished career in Spain; and Charles and William, of both of whom nothing has been recorded. James, the youngest son, entered the Church and became a Canon of Canterbury. Finally, the youngest of John Jeffreys' children, Margaret, married Robert Belton, of Shrewsbury.

As a boy George Jeffreys was known to be a lad of exceptional talent, and, for that reason, received the best education possible for a gentleman in those days. At his mother's request, Philip Henry, the Nonconformist (remembered by all for his account of the beheading of Charles I.), examined the boy and found him remarkably proficient, so that he was sent, first of all, to Shrewsbury School, then the preparatory school for the gentry of the neighbourhood. When he was eleven years old he went up to St. Paul's School, London, where he became the pupil of Dr. Cromleholme, Pepys' "conceited, dogmatic Crumlum." After two years at St. Paul's he was removed to Westminster School, of which the famous Busby was then headmaster. It is pleasant to record that at Flint Assizes in 1682 Jeffreys befriended Philip Henry. In March, 1662, George Jeffreys entered Trinity College, Cambridge, remaining at the University for a year and quitting it in May, 1663, in order to be entered as a student at the Inner Temple. He was called to the bar in 1668, and at once attracted the notice and friendship of the most famous judge of those times, Sir Matthew Hale, Lord Chief Baron of the Exchequer, then the great authority on criminal law. This does not point to dissolute habits, but rather the reverse, for Sir Matthew was a religious man, known for his Puritan morality.

George Jeffreys had married the year before he was called to the bar under circumstances which do him the greatest credit and form the best possible index to a generosity of character not infrequently shown by him in later years. He had long been convinced that his best opportunity of rising in the world was to make friends amongst the rich city merchants of the day, and, if possible, to marry an heiress. So he had paid his addresses to the daughter of a city alderman reputed to have a portion of £30,000—an enormous sum in those days. The handsome lawyer

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<sup>5</sup> "Archæologia Cambrensis." Third Series, vol. xv., pp. 116-118. A pedigree of the family.

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(for he was a handsome man, as his portraits prove) was received favourably by the lady, until her father found out what was likely to happen, and in a rage forbade George his house. He went further than this, for a dependant of his own and companion of his daughter, who had acted as intermediary between the couple, was turned penniless into the streets—an awful fate for a girl in the days of Charles II. Sarah Neesham, for that was her name, was not devoid of personal charms, so that George Jeffreys, indignant at the shameful way in which she had been treated, married her on 22nd May, 1667, at All Hallows, Barking. She proved an affectionate wife, and eventually bore him six sons and a daughter. No scandals and no quarrels darkened their matrimonial life. For many years afterwards the two made their home in the parish of St. Mary, Aldermanbury, in which church Jeffreys lies buried. Jeffreys' second wife, Lady Jones, a widow and the daughter of Alderman Sir Thomas Bloodworth, Lord Mayor in 1666, was married by him in May, 1678, when he was already great and famous, and, failing any reason for attacking their domestic life, Jeffreys' enemies have tried to asperse this lady's character *before* he married her, it being quite impossible to rake up any accusations after the marriage.

Among Jeffreys' friends in the city at this time were his namesake, Alderman Jeffreys, "the great smoker," whose purse was always at his disposal, and Sir Robert Clayton, the Whig Lord Mayor of 1679-1680, to whom Jeffreys was a friend when the King outmanœuvred the city Whigs and confiscated their charter.

After this, the rise of this clever young lawyer was phenomenally rapid and betokens great ability. Only three years after his call to the bar, in 1671, when he was twenty-four years old, he was appointed Common Serjeant of the City. This was the first step on the ladder of preferment, for it brought him to the notice of the King, who knighted him in 1677. Most writers assert that he was at the same time appointed Solicitor-General to the Duke of York, but this is a mistake. He did not receive this appointment until January, 1679.<sup>6</sup>

In the meantime Sir George prospered so well at the bar that he bought a country seat, Bulstrode House, Bucks, and here, in August, 1678, he was honoured by a visit from Charles II., accompanied by the Duchess of Portsmouth, who dined with him. A news-writer tells us that the King made his host sit down and drank to him seven times.

Thus Sir George's future was assured. Two months later, upon 21st October, 1678, the King himself wrote to the Lord Mayor and Aldermen "most particularly recommending" Sir George Jeffreys, the Common Serjeant, for the post of Recorder,

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<sup>6</sup> Henry Muddiman's newsletter of 28th January, 1679, states: "Sir George Jeffreys has been appointed Solicitor to the Duke of York."

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then vacant.<sup>7</sup> The City at once elected him, over the heads of three other candidates.

Of the cases tried by Sir George as Recorder a very clear idea is given in the printed "Sessions Papers," a sort of "Police News," published regularly at the time. They are all to his credit.

Towards the close of the year 1679, at a time when the "Popish Plot" was at its height and the throne itself in danger from the machinations of Shaftesbury and his political supporters, Sir George, in his capacity of Recorder of London, attracted the hatred of the supporters of the Popish Plot as the first "abhorrer."

In his addresses to the juries, Jeffreys, as Recorder, was the first to inculcate obedience to the Proclamation against petitioning (for the sitting of Parliament), and the judges of the higher courts charged grand juries all over the kingdom to the same effect. So the grand juries commenced to pass loyal addresses "abhorring" the petitions still in circulation, with the result that Charles II. temporarily stifled the "Plot," by refusing to allow Parliament to sit for a year.

On 30th April, 1680, Sir George Jeffreys received a long-coveted reward for all this. He was appointed Chief Justice of Chester, near his old home. And on 12th May he was made Serjeant at Law, taking for his motto upon the customary Serjeant's rings, "*A Deo Rex, a Rege Lex.*"<sup>8</sup> Two months later on the first serious falsehood about him (coined by his biographer in the "Bloody Assizes") needs notice. The young lawyer, with his Celtic temperament, was a little overbearing in manner and contemptuous of his intellectual inferiors. It is, therefore, not surprising to find that at Kingston Assizes in July, 1680, the new Chief Justice of Chester came into collision with Baron Weston, who, according to Roger North, was gouty and one of the most irascible judges on the bench, and was reprimanded. His Whig biographer would have us believe that Jeffreys sat down "in tears" as a result, but this is not borne out by a private letter of the times, which simply says, "Sir George Jeffreys behaved very ill at Kingston Assizes, where passed some words between him and Judge Weston on the bench."<sup>9</sup>

When at last Parliament met, in October, 1680, it turned its attention to the "abhorrers," and singled out the Recorder of London as their chief enemy. Their debates form astonishing reading.<sup>1</sup> "It appears plainly that Jeffreys is a criminal,"

<sup>7</sup> Cal. S.P.Dom., 1678, p. 473.

<sup>8</sup> This seems to have been the usual motto, for there are many instances of its use in earlier years.

<sup>9</sup> Verney Correspondence in Historical Manuscripts Commission's VII. Report, App., p. 479.

<sup>1</sup> Anchitell Grey (a member) took down these debates.



**Sir George Jeffreys, Recorder of London**  
*(From the painting in the National Portrait Gallery)*

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said Lord William Russell, who was to be beheaded three years later on. Sir Patience Ward, to be convicted of perjury in 1683 and the Lord Mayor of 1681, who caused the inscription to be placed upon the Monument asserting that the Great Fire of London was caused by the Papists,<sup>2</sup> pointed out that the Recorder was "the mouth of the City," referring to the fact that he always spoke for them when the Mayor and Corporation attended the King. Alderman Thomas Pilkington, the next year's Sheriff, another perjurer, who packed all the juries against the King, added, "I take him to be a common enemy to mankind, and I hope you will use him accordingly." Thus early had Sir George Jeffreys attracted the hatred of the Whigs.

In the end, on 13th November, 1680, the House of Commons petitioned the King to remove Sir George from the Chief Justiceship of Chester, and sent its advice to the City to remove him from the Recordership. On the 20th the King replied that, as regards Jeffreys' removal, "he would consider of it." He did "consider of it" at such length that, up to the time when he appointed him Lord Chief Justice, Sir George Jeffreys was a Counsel for the Crown in all the leading cases of the times. And on 17th November of the following year, 1681, Charles II. created Sir George Jeffreys a Baronet. The City apparently had some difficulty in dismissing a Recorder who had great influence in London. Sir George, however, perhaps feeling that as the "mouth of the City" he might be called upon to express sentiments to the King with which he could not concur, resigned the Recordership upon 2nd December, 1680, and a Whig, Sir George Treby, was appointed in his place. Subsequent events proved that Sir George was right. A second lie coined by the "Bloody Assizes" needs notice here. It is to the effect that Sir George was brought to the bar of the House, compelled to kneel and publicly reprimanded by the Speaker. Needless to add, neither the journals nor Grey's "Debates" mention any such thing.

To trace the conduct of Sir George Jeffreys in all the Crown cases in which he was counsel would be to narrate the history of the times, still a matter of acute controversy, and as my object is, while giving an account of his career to single out new facts, these cases are best disregarded up to the time when Jeffreys was appointed Lord Chief Justice of England.

"On the 28th of September, 1683, just after the Rye House Plot was discovered, Sir George Jeffreys kissed hands as Lord Chief Justice of England," and on 4th October of the same year he was sworn of the Privy Council. As usual, there is another falsehood, this time originated by Titus Oates, to be refuted about this appointment. Oates affirmed that, when Jeffreys was suggested to

<sup>2</sup> On 15th June, 1685, the Privy Council ordered "the inscription on the Monument made in Sir Patience Ward's Mayoralty to be razed out" (Privy Council Register Book). Needless to add, it was restored by the Whig Convention of 1689.

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the King as a future Chief Justice, Charles II. remarked that Jeffreys had "no learning, no sense, no manners, and more impudence than ten carted street walkers." On the face of it, this piece of abuse is rendered absurd by the marks of Royal favour Jeffreys had already received, and is, moreover, directly refuted by the Earl of Sunderland, who suggested Jeffreys to the King. "I spoke to the King of Jeffreys," wrote Sunderland, "but I found him very much unresolved and full of objections against him, as that all the judges would be unsatisfied if he were so advanced, and that he had not law enough."<sup>3</sup> In the end, however, the King saw that Jeffreys was the best man for the post, and appointed him.

Thus this young lawyer was appointed Chief Justice by Charles II. at the early age of thirty-five. His Tory enemy, Roger North, who has so many unpleasant things to say about the judges of those times, in order to extol the merits of his brother, Lord Guilford, actually admits that Jeffreys "became the seat of justice better than any he ever saw in that place." Jeffreys' conduct on the bench was worthy of his past record, and there exists no evidence to the contrary that cannot be summarily dismissed as the calumny of Whig enemies.<sup>4</sup> For the hatred the Whigs had felt for Jeffreys as the first "abhorrer" was to be augmented to the highest pitch now that he was Chief Justice.

In their opinion it was largely due to Jeffreys' advice that their Parliament was crushed out of existence, the City Charter forfeited, and Oates driven in disgrace from the Royal Palace. Above all, the rule of Jeffreys as Lord Chief Justice was marked by the deliberate stamping out of the Whigs as a political party, and by a persecution of the Nonconformists (who were Whigs to a man) without a parallel in English history. When a new Parliament met—and it did meet in the reign of James II.—it was to be a Tory Parliament, and for this purpose the returning

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<sup>3</sup> Clarendon Correspondence" (ed. S. W. Singer), i., 82-3. Mr. Singer repeats Oates's tale in his note to this passage, but this fact does not justify the writer of Jeffreys' life in the Dictionary of National Biography in stating Oates's tale as a fact and referring to this very passage of the "Clarendon Correspondence" by way of proof of it. It is always necessary to verify references about Jeffreys.

<sup>4</sup> "State Trials" is one of the worst of these Whig compilations. In its present form the work was last published in 1811. But the first edition appeared in 1719, and differs very much from the Whig editions which followed it. Particular notice deserves to be taken of the fact that the trials over which Jeffreys presided as Chief Justice were either printed at the time—in which case they are verbatim and accurate—or were printed after the Revolution—in which case they all libel the Chief Justice and are untrustworthy. Of the former class the trial of Titus Oates is the best example, and of the latter the trial of *Pritchard v. Papillon*, which took place in 1687, but was first printed by Janeway in 1689, is a salient example, from Janeway's known character as a seditious journalist. "State Trials," in its reprint, has excised four pages from the end of this last tract, obviously because these four pages are so glaringly false that they would not pass without notice.



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officers and magistrates all over England were to be appointed by nominees of the King, so that Mayors and corporations of boroughs were to be appointed or approved by him. The surrender of all charters, therefore, became necessary, and was advised by Jeffreys from the bench in his charges to the grand juries all over the kingdom. Whenever he returned from circuit he invariably brought with him a sheaf of surrendered charters, and steps were at once taken by the King to renew these charters with largely increased privileges. Thus they were everywhere received with signs of popular rejoicing. A few instances of this will suffice. Muddiman wrote as follows:—

“Tuesday, Nov. 6, 1683. There are accounts from several corporations of their resolution to surrender their charters into the hands of his Majesty, this being found the best expedient to free themselves from men of faction and sedition that have crept into the government. Besides that it is a known truth that none ever gave unto his Majesty's hand but who have had them returned with greater advantage, his Majesty never taking from their ancient rights and privileges but only putting them under the regulation of such men as may best preserve them.”

This, of course, was a piece of official journalistic propaganda, but it was completely successful, though in a few instances, particularly those of Worcester, York, Bristol, and Oxford, it was found necessary to issue a “*Quo Warranto*” against the charters. Some submitted in the end with a bad grace; for example, Sandwich, on 8th January, 1684, and even Oxford, on the 9th. “It is safer to submit than to wager law against a ‘*Quo Warranto*,’” remarked Muddiman. And on 24th March, 1684, “the Mayor and Corporation of Plymouth set out to lay their charter at the King's feet. They had been disposed to this submission by the conversation they gained with the Lord Chief Justice, upon an invitation given to him in his return to London, where he did them that good office he had performed in all the places of his circuit, declared to them their duty and established them in principles of loyalty and due obedience.”

With the new charters a great Tory reaction, not wholly due to the Rye House Plot, took place throughout England. In July, 1684:—

“At Bristol, the new charter, taken thither by the Marquis of Worcester gave great satisfaction. There were public rejoicings, music, bells, guns, bonfires and all that could express public satisfaction.”

On the 7th of July the City of Durham surrendered its charter to the Bishop, as Prince Palatine, who granted a new one, reserving to himself the confirmation of their Mayor, Aldermen, and chief officers, as the King was doing in the case of the other charters.

At Hull, which also had received a new charter, “the reception of the Lord Chief Justice Jeffreys and Mr. Justice Holloway” in the same month “was very remarkable,” said our journalist.

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"A large ship was sent for them and their retinue to Barton, wherein several of the Aldermen went to pay their respects and conduct them, the guns firing all the way of their passage over the Humber. The Customs House yacht, with the principal officers, and very many smaller vessels and boats were crowded with people to pay their respects. At landing, the Mayor and Aldermen in their formalities and the officers of the Garrison waited on them and passed before (the bells ringing and great guns firing all the while) to the Mayors house, where they lodged and after a short refreshment went to the Guildhall where a splendid dinner was prepared for them."

Jeffreys' progress on the Northern Circuit this year was a triumph. Never had he been so popular. Writing again on 11th November, 1684, Muddiman said—

"The Charter of Exeter was met by 800 horse, that of Barnstable by 400, and every Corporation expresses the greatest satisfaction. Well they may, since his Majesty only establishes the government upon a sure foundation and grants them privileges much larger than they had enjoyed."

Writing on 9th December, 1684, Muddiman said—

"I might write you an account every day, of how two or three more charters of corporations are surrendered to his Majesty, were it to be looked upon as news that people consult their own interest and do that which tends most to their own advantage."

To all appearances, the death-knell of Whiggism had sounded. One other notice deserves quotation—

"Jan. 15, 1685. Among recent charters I must take note of that of Preston, for its design of gratitude. They have had the arms of the Duke of Albemarle and others blazoned in the margin, as a mark of gratitude to them in interceding with the King and procuring those liberties they now enjoy."

James II. was but carrying out his dead brother's wishes to reward Jeffreys for the extinction of Whiggism as a political force when he created him Baron Jeffreys of Wem on 15th May, 1685, and not, as Burnet asserts, after the "Bloody Assizes." It was the first time a Lord Chief Justice had been made a peer of the realm. On 19th May Lord Jeffreys took his seat in the House of Lords, but not even yet had he arrived at the apex of his career.

One trial by which the Lord Chief Justice will be remembered by all readers is that of Titus Oates, and by the exemplary punishment meted out to this greatest villain in English history who, by his perjuries, had directly or indirectly caused the deaths of thirty innocent men. The preliminaries to this trial have not been known, and prove that Oates from the first realised that, with a Celt like Jeffreys, his sole hope was to provoke him into a ~~passion~~ and thus secure a popular outcry on his own behalf.

It was Charles II., not James II., who decided that this villain should be brought to justice. Thus, on 12th November, 1684—

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"In the afternoon a bill of indictment was found against Titus Oates for perjury at the Guildhall, London, and on the 13th he was arraigned at the Kings Bench Bar, where he pleaded 'Not guilty.' He then desired 'Emparlance,'<sup>5</sup> which the Court told him after a plea could not be; but that he should see that he should no way be surprised; he should, if he desired it, have time to next term for trial. And upon his request it was granted. He then desired that he might have Counsel. To which the Court told him that, except the Kings, he should have any Counsel in England. He then asked liberty to go to them, but was told that being prisoner in execution that could not be granted, but that any Counsel might have liberty to go to him."

The 23rd January, 1685, was the first day of the next term, and the newsletter proves very plainly that Oates's tactics were about to be foiled—

"Titus Oates had had time given him for his trial upon two indictments for perjury, and though his deportment was with that impudence and saucy language to the Court that might have provoked the greatest passions, he failed of his design that way and had calm answers. He complained now, as before, of the hard usage of the Marshal, in being detained in irons. To which he had the same answer as formerly, that if he had any injury he might have remedy upon an action."

The trial itself was delayed by the death of Charles II. upon 6th February, 1685, and did not take place until 8th May. There exists a verbatim report of the trial, about which all historians of our criminal law agree. Sir James Fitz-James Stephen is the best known of these and comments, "Oates's trial for perjury was not, I think, unfair." Sir James adds, as regards the punishment, "I cannot say that I think the sentence upon him too severe." Professor de Montmorency notes how "scrupulously fair" Jeffreys was.<sup>6</sup>

On 17th May Sir Francis Withens, the puisne judge, pronounced the sentence of the Court upon Oates. He was to be stripped of his canonical habit, fined, and to be whipped—on Wednesday, 20th May, from Aldgate to Newgate, and upon Friday, 22nd May, from Newgate to Tyburn. In addition he was to be imprisoned for life and to be pilloried three times every year.

Henry Muddiman, who saw Oates's first whipping and tells us that the opinions of the bystanders about its severity differed according to their political bias, answered the question of how severe the punishment was by saying that in such matters the

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<sup>5</sup> "Emparlance is when the defendant demandeth day to see if he may end the matter without further suit; which he may ~~do once, but not~~ oftener" (Sir Henry Finch, in "Law; or, a discourse theroot," ed. 1636). Oates, therefore, treated his accusation as a frivolous charge, in order to provoke the Chief Justice.

<sup>6</sup> Letter in the *Times Literary Supplement* for 26th July, 1928.

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hangman was the best judge, and that he had told him that "He did one day, as he might do another."

The reader will be inclined to ask whether such severe whippings for perjury were unusual in the seventeenth century. The case of Sarah Waite (a woman, be it noticed) convicted in 1619 supplies an answer. She was "Fined at £500, committed to the Fleet and from thence one day to be whipped to Westminster and another from the Fleet to Cheapside and there to be burned in the face with an A and an F for False Accusation, and from thence to Bridewell, there to remain all her life."

This was an even worse punishment than that of Oates, for the poor woman was liable to be continually whipped at Bridewell. When the Whig Convention of 1689 declared that Oates's punishment was illegal, because a person convicted of perjury could not be imprisoned for life, its members had forgotten the case of Sarah Waite.

The preliminary portion of the "Impartial Life" of Jeffreys is so ill-informed that it is quite worthless for purposes of reference. So that I commence the text of it from this point.]

### Text of the "Impartial Life."

It so happened when this person was recorder of London that a jury of which (Elias) Best was one, having contrary to his mind acquitted a party indicted at the Sessions of Peace in Guild hall for printing and publishing a pamphlet, he in much heat declared that they had gone contrary to their consciences and stuck not to upbraid them with perjury; for which as an high affront put upon the juries of London, they prayed the Court at the Old Bailey that they might prefer an indictment against him, and herein Mr. Best was most active. But the Lord Chief Justice Scroggs, then upon the Bench, after it had been a long time argued and debated told them that the Sessions being almost at an end, it could not be tried and therefore he would desire them to refer it to the next Sessions, for the Recorder being a person of quality, he could not suffer him to lie under the imputation of an indictment so long [?]. But in the interim, he resigning his recordership, the business fell and came to nothing. But soon after this it seems Mr. Best had drank an health to the pious memory of Stephen College departed, meaning the joyner that was executed at Oxford, for which he was indicted upon an information and found guilty; yet, he being at large, thought fit to withdraw himself to avoid the rigour of the fine etc. When so it fell out, that this person going the circuit as Lord Chief Justice, accompanied with a great many on horseback, Mr. Best came by,

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<sup>7</sup> Wynne to Carleton, 14th February, 1618-19, in Thos. Birch's "Court and Times of James the First," i., p. 135.

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and asked one of the company what judge that was. Who replied, the Lord Chief Justice Jeffreys, and he unadvisedly told that party his name was Best and desired him to remember his service to his lordship [!]. Upon notice of which he immediately caused him to be fetched back, and committed him to *York gaol* (sic), from whence he was brought by Habeas Corpus to the Kings Bench and imprisoned for a fine of £500 etc.

[From 1680 to the end of 1682, when, thanks largely to the election of a loyal Lord Mayor, Sir John Moore, honest Sheriffs were appointed, all the juries were packed against the King. Whenever the publisher of a seditious newspaper (published in defiance of a Proclamation) was prosecuted; as, for instance, Richard Janeway, the publisher of “The Impartial Protestant Mercury,” or Benjamin Harris and Francis Smith, “ignoramus”; or, if the case went to trial, “not guilty” was returned, thanks to the packing of the juries by these Sheriffs. It was owing to these malpractices that a “*Quo Warranto*” was brought against the Charter of the City of London. There is no record of the matter in which Best was concerned, when Jeffreys was Recorder, but it may be said with certainty that the jury were perjured and deserved prosecution. There is, however, a complete record in the news-letters of the later proceedings against Best, and I set these out under the dates upon which they were written.

October 11th, 1684. “Mr. Best, the Protestant Hop merchant, who was convicted some time since of high misdemeanours (of which one part, as I take it, was that he drank a glass of wine to the pious memory of that martyr, Stephen College) was upon his conviction pursued by a warrant from the Lord Chief Justice. He has ever since lurked about Hitchin in Hertfordshire and had his residence some miles thence, but repaired thither once or twice a week to administer to a ‘sister,’ who, like a true Protestant patriot, he maintained and kept there. He was discovered and seized by the diligence of Mr. Atterbury (the King’s messenger) on the 7th and put into custody at *Hertford gaol*. So that he is like to receive a double sentence, one for the Kings Bench, in a fine, the other from his wife.”

November 13th, 1684. “The same day (the 12th) Best, the Protestant Hop merchant was brought to the Bar. Upon whose sentence the Court will consider.”

November 20th, 1684. “On the 20th, Best, the Protestant Hop merchant, was fined £1000, sentenced to stand in the pillory, with the inscription of his health to the pious memory of Stephen College, the martyr, and is to give security for life.”

So that Dunton’s account was not only hearsay, but wrong information to boot. Then follow some stories adapted from the “Jest books” much in vogue at this time.]

“Once it happened upon a trial, that a plain country fellow giving evidence in the Court and pressing it home, moved this

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person who was Counsel on the other side, to pick a quarrel with this poor man's leather doublet and amongst other interrogations bawled out 'You fellow in the leather doublet, pray what have you for swearing?' The man upon this, looked steadily upon him, replied, 'Truly, Sir, if you have no more for lying than I have for swearing, you might wear a leather doublet as well as I.' This bluntly retorted moved at that time much laughter, and filled the Town with the discourse of it."

"Another time it fell out, that some musicians brought an action against a person, at whose wedding day they had play'd, for the money they were promised or expected, when in the midst of the evidence, this person called to one of them, viz. 'You Fiddler' etc., at which the man seeming disgusted, he again, upon the party's alleging himself to be a musician, demanded 'What difference there was between a Musician and a fiddler?' 'As much, Sir,' said he, 'as there is between a pair of Bagpipes and a Recorder.' And he then being Recorder of London, it was taken as a suitable repartee."

"A country gentleman, having married a city orphan, comes and demands her fortune, which was about £1100, but by all the friends he could make, could not procure it, till he goes to Jeffreys, then Recorder, and gave him 100 guineas to be his friend to get his wife's fortune. Upon which Jeffreys told him, that the Court of Aldermen would sit such a day. The gentleman appearing, was called in, Jeffreys being present, who ask'd him, 'Sirrah, what's your business?' Upon which the gentleman told him, that he had married a city orphan and desired he might have her portion o' th' chamber. Upon which Jeffreys asked him, if he had asked the consent of the Court of Aldermen? He told him, No. Upon which he called him Rogue, Rascal, Sirrah you should have asked leave of the Court for such a marriage. He told him he understood not the custom of the City and begged their pardon, being a country gentleman. Upon this Jeffreys abused him again; but afterwards gives him a note for his money, his public railing upon him being only to blind the Court, that they might not suspect him bribed."

"Jeffreys when Chief Justice, at a County Assize, trying a cause, an old man with a great beard came to give evidence before him. And not doing it to his mind, he began to cavil at his beard and amongst other expressions told him, that if his conscience was as large as his beard, he might well swear anything. This so nettled the old blade that without any respect for his greatness, he briskly replied, 'My lord, if you go about to measure consciences by beards, your lordship has none.'"

[The connexion of beards with wisdom has long been a subject of jokes, and this is only a variation of a very ancient story often to be found in the jest books of the times. For instance, "*Comes Facundus in Viâ*," published in 1658, says (p. 298) that the writer had heard of a reply from one "to whom it being objected in

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scorn that his beard came before his wit, the answer was ‘Yours is a mannerly beard and stays for your wit.’”]

“The lord Jeffreys at another time making a speech to the Grand jury, particularly charged them to be severe against the Protestant dissenters. During the time of the charge, he espied his old schoolmaster, and pointed at him particularly, saying ‘That is one of them.’ [If Philip Henry is meant by this (and Jeffreys had no other tutor who was a dissenter), it does not tally with Henry’s own account of what happened at Flint Assizes.] Which the reader will be apt to believe, if he examines his dealings with Mr. Moses Pitt, bookseller, which that I may set in their true light, I shall give ‘em in Mr. Pitt’s own words, as I find ‘em in his treatise, entitled ‘The Cry of the Oppressed,’ p. 105, which are as follows.”

[Dunton omitted to tell his readers that Pitt’s “Cry of the Oppressed” was published as late as 1691, long after Jeffreys’ death, and when there could not possibly be an answer to the small portion of the book referring to Jeffreys. The full title of the book shows its scope. “The Cry of the Oppressed. Being a true and tragical account of the unparallel’d sufferings of multitudes of poor imprisoned debtors in most of the gaols in England, under the tyranny of the gaolers and other oppressors, lately discovered upon the occasion of this present Act of Grace ‘For the release of poor prisoners for debt or damages.’ Some of them not only being iron’d and lodg’d with hogs, felons and condemn’d persons, but have had their bones broke, others poisoned and starved to death, others denied the common blessings of nature as Water to drink, or straw to lodge on, others their wives and daughters attempted to be ravished. With other barbarous cruelties not to be parallel’d in any history, or Nation. All which is made out by undeniable evidence. Together with the case of the publisher.”

Dunton continues his quotation from Pitt—]

“Among several houses I built both in King Street and Duke Street, Westminster, just against the bird cages in St. James’s Park, which just as I was a finishing, I lett to the Lord Chancellor Jeffreys, with stables and coach houses to it, for £300 per annum. After which, when he the said Chancellor came to see the house (Alderman Duncomb, the great baker being with him) and looking about him saw between the house and St. James’s park an idle piece of ground, he told me he would have a cause room built on it. I told him that the ground was the Kings. He told me that he knew it was; but he would beg the ground of the King and give it to me. He also bid me make my own demands and give him in writing. The which I did, and unto which he did agree. And commanded me immediately to pull down the Park wall and to build as fast as I could, for he much wanted the said Cause room. My agreement with him was, that he should beg of King James all the ground without the Park

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wall between Webbs and Storey's [now Storey's Gate] inclusive, which said ground is twenty-five foot in breadth and near seven hundred foot in length (to the best of my memory) for ninety nine years, at a peppercorn per annum. And he the said Lord Chancellor, was to make over the Kings grant to me for the said number of years, without any alteration, with liberty to pull down, or build on the King's mall, and to make a way or lights into the King's Park according as I pleased. In consideration of my building on the said ground of the Kings and the said Lord Chancellor's enjoyment of it during his occupation of the said house. All which the Lord Chancellor agreed to. For that purpose he sent for Sir Christopher Wren, his Majesty's surveyor and myself and ordered Sir Christopher to take care to have the said ground measure<sup>d</sup>, and a platform (plan?) taken of it and that writings and deeds be prepared for to pass the Great Seal. Sir Christopher ask't the Lord Chancellor, in whose name the grant was to pass, whether in his lordships or Mr. Pitts's? The Chancellor replied that the King had granted him the ground for ninety nine years, at a peppercorn per annum, and that he was to make over the said grant to his landlord Pitt, for a term of years, without any alteration in consideration of his said landlord Pitt building him a cause room etc. and his the said Chancellor's enjoying the same during his living in the said Pitts house. And withal urg'd him the said Pitt immediately to take down the Kings Park-wall, and to build with all expedition, for he much wanted the Cause room, and that I should not doubt him, for he would certainly be as good as his agreement with me. My witnesses are, Mr. Fisher, deceased (sic), who belonged to Sir C. Harbord, his Majesty's Land surveyor, Mr. Thomas Bludworth, Mr. John Arnold, both gentlemen belonging to the said Lord Chancellor and several others. Upon which I had a warrant from Mr. Cook, out of the Secretary of States office, in the Lord Chancellor's name, with King James's hand and seal, to pluck down the King's wall and make a door and steps, lights etc. into the Park at discretion; which said warrant cost me £6.5.0. Upon which in about three or four months time I built the two wings of that great house, which is opposite to the Bird-cages, with the stairs tarrass etc, which said building cost me about four thousand pounds, with all the inside work, my workmen being employed by the Lord Chancellor to fit up the said house and also offices and cause room for his use; for all which he never paid me one farthing.

"When I had finished the said building, I demanded of him several times my grant of the said ground from the King. He often promised me—that I should certainly have it, but I being very uneasy for the want of my said grant, I wrote several times to him and often waited to speak with him, to have it done. But at last I found I could have no access to him and that I spent much time in waiting to speak with him, altho' I lived just over



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against his door. And also *I considered that he could not be long Lord Chancellor of England, King William being just come.* I got into the parlour where he was many tradesmen being with him that he had sent for. [To pay their bills, an instance of Jeffreys' honesty.] I told him I did not so earnestly demand my rent, which was near half a year due, but I demanded of him my grant from King James of the ground we had agreed for, in consideration of my building. He told me that he would leave the house, and that he should not carry away the ground and building with him; which was all the answer I could have from him. And the very next day he went into Whitehall and had the jesuit Peter's [Petrie's] lodgings, where he lay till that Tuesday morning King James first abdicated and went away with Sir Edward Hales. The said Lord Chancellor should have gone with them, but they dropt him. So that morning finding them to be gone, he was fain to shift for himself and to fly with a servant or at most two with him and soon after taken and sent to the tower where he since died.”

[This quotation consists of an excerpt of four pages from a narrative of Pitt's operations as a speculative builder at Westminster, the whole of which takes up 61 out of the 162 pages of his book. Pitt's object in writing this latter part was to attack a large number of persons who had dealt unjustly with him, and not Jeffreys, whose enforced delay in completing his agreement with him had merely complicated matters.]

“Jeffreys prosecuted (sic, tried) Mr. Baxter for his paraphrase upon the New Testament and sent him to prison; he coming out by a Habeas Corpus was fain to abscond in the country (in constant pain till the term). Then his oft waitings at the bar (where he could not stand) and then to be railingy treated by Jeffreys and Withens [another judge] and called rogue and knave, and not suffered to speak one word of answer for himself, and his counsel being reviled that offered to speak for him was far harder to him than imprisonment. And then going from the Bar, he only said that his predecessor thought otherwise of him. Jeffreys reply'd, there was not an honest man in England that took him not for a knave, not excepting the King, that had given him another testimony in words.”

[The above story is, of course, far from accurate. Roger L'Estrange was Baxter's great opponent and supplied some of the passages in his Paraphrase for which he was indicted,<sup>8</sup> e.g.—

“The Pharisees (says the text) went forth and straightway took counsel with the Herodians against Him how they might destroy Him,” Mark iii. 6. And now comes the paraphrase. ‘What else but devils could make ceremonious hypocrites consult

<sup>8</sup> These are set out in L'Estrange's “The Observer,” No. 60, for 18th July, 1685. Muddiman evidently had some sympathy with Baxter and barely mentions his case.

## The Bloody Assizes.

with *politique royalists*, to destroy the son of God?' See the text again. 'No man when he hath lighted a candle covereth it' etc, Luke viii. 16. 'Woe then,' says Mr. Baxter upon't 'to unjust silencers of God's faithful ministers and to idle, treacherous and unfaithful pastors.' See again now. 'When, therefore, Paul and Barnabas had no small *dissension* and *disputation*?' etc, Acts xv. 2. 'To be *Dissenters*,' says he, 'and disputants against errors and *tyrannical impositions* upon conscience is no fault but a great duty.' See now what he says upon, 'Pauls preaching the kingdom of God and *no man forbidding him*,' Acts xxviii. 30. Mr. Baxter's note upon't is this. 'No man forbidding him, silencing him, or condemning them for conventicles in proud, powerful Heathen Rome.' Now, here's another. 'But he turned and said to Peter Get thee behind me Satan' etc, Matthew xvi. 5. 'O hinder us in God's work,' says he, 'and men's salvation is to be Satan's to us. Oh, how many Satans then are called Reverend Fathers, who silence and persecute men for God's word, as the whole course of the Papal discipline and worship manifesteth.' Once again. 'Even as I please all men in all things, not seeking mine own profit but the profit of many, that they may be saved,' 1 Cor. x. 33. And here comes his note again. 'O happy had it been with the Christian world, if the bishops had been of Paul's mind, and had not chosen to silence, banish, burn and murder thousands of Gods faithful servants, for not humouring their wills, and obeying unnecessary canons, imposed by Papal usurpation.' "

Considering the persecution of Nonconformity on foot at this time, it would have been strange if these comments had not attracted a prosecution.

At the end of the second edition of Baxter's paraphrase, published in 1695, four years after his death, the following Post-script was added:—

"Mr. Baxter's own account of the Cause of his imprisonment, left under his own hand to be printed with his paraphrase. Reader,

"It's like you have heard how I was for this book by the instigation of Sir Roger L'Estrange and some of the clergy, imprisoned nearly two years by Sir Geo. Geffreys, Sir Francis Withens and the rest of the judges of the Kings Bench after their preparatory restraints and attendants under the most reproachful words, as if I had been the most odious person living, and not suffered to speak at all for myself (?). And had not the King [James II.] taken off my fine I had continued in prison till death. [The fine was 500 marks, or £333 6s. 8d.] Because many desire to know what all this was for, I have here written the eight accusations which (after the great clergy search of my book) were brought in as seditious. I have never altered a word, accused, that you may know the worst. What I said of the murderers of Christ and the hypocrite Pharisees and their sins, the judge said

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I meant it of the Church of England, though I have written for it, and still communicate with it. The accused words are, the paraphrase 1. On Math v. 19. 2. On Mark iii. 6. 3. On Mark ix. 39. 4. On Mark xi. 31. 5. On Mark xii. 38, 39, 40. 6. On Luke x. 2. 7. On John xi. 57. 8. On Acts xv. 2. Note, these were all, though a Reverend Doctor that knoweth his own name put into their hands some accusations out of Romans xiii. etc as against the King, to touch my life, but their discretion forbid them to use or name them.

“RICH. BAXTER.”

No report of Baxter’s trial was printed, so that the Nonconformist accounts of it necessarily exaggerate all that was said and must be received with caution.<sup>9</sup>

“But to return to the thread of this discourse; passing by his vehement and pressing discourse to the jury [as prosecuting counsel] against William, Lord Russel, on his trial at the Old Baily, which some say greatly influenced them to find him guilty [which he undoubtedly was], and add that he did it out of a pique, in remembrance he was one of the members of the Parliament before whom he was brought upon his knees. [That is an impudent falsehood.] We find him by this time trying of Dr. (sic) Titus Oates upon two informations, upon the account of his swearing to the White Horse consult and Ireland’s being in town, and after a long debate, wherein many repartees passed, the jury made a shift (!) to find him guilty. As to the circumstances I refer you to the trial, but the sentence was severe and of its effects few are ignorant, wherefore I shall pass it over, as also Mr. Thomas Dangerfield, another of the evidences [and as great a villain as Oates] in discovering the contrivances and carrying on of the Popish Plot, which the Papists by these proceedings accounted to be effectually stifled. And now before anything remarkable happened, the kingdom was alarmed with the landing of the late Duke of Monmouth at Lyme, in Dorsetshire and the Earl of Argyle in Scotland. But, however, these two unfortunate (sic) gentlemen miscarrying left a good many of their miserable followers to feel the severity of punishment [this was certainly not the case with Argyle’s followers] and as for the gleaming the bloody fields in England, they came to the sitting of this person, who with others going down with a commission to try them, all the indignities the dissenters had put upon him [?] came fresh into his remembrance, so that he made them find the laws more cruel than the sword, and wish they had fallen in the field, rather than come to his handling, for he breathed death like a destroying angel and sanguined his very ermine in blood. A large account of which you shall have in its proper place.

<sup>9</sup> Macaulay’s account is so well known that it should be pointed out that every single statement he makes about Jeffreys is either rhetorically exaggerated; as, for instance, his abuse of Jeffreys’ personal appearance (at once refuted by his portraits), or falsehoods taken from Burnet, the “Bloody Assizes,” and Richard Locke’s “Western Rebellion,” published in 1782.

## The Bloody Assizes.

“ But, by the way, for the sake of the West country reader, I shall here add a true and impartial narrative of the Duke of Monmouth’s whole expedition while in the West, seeing that it was the prologue to that bloody scene that you will hear by and by, was acted by George, Lord Jeffreys, the subject of our present discourse.”

[The name of the writer of the narrative which follows is not known.]

### Narrative of Monmouth’s Rebellion.

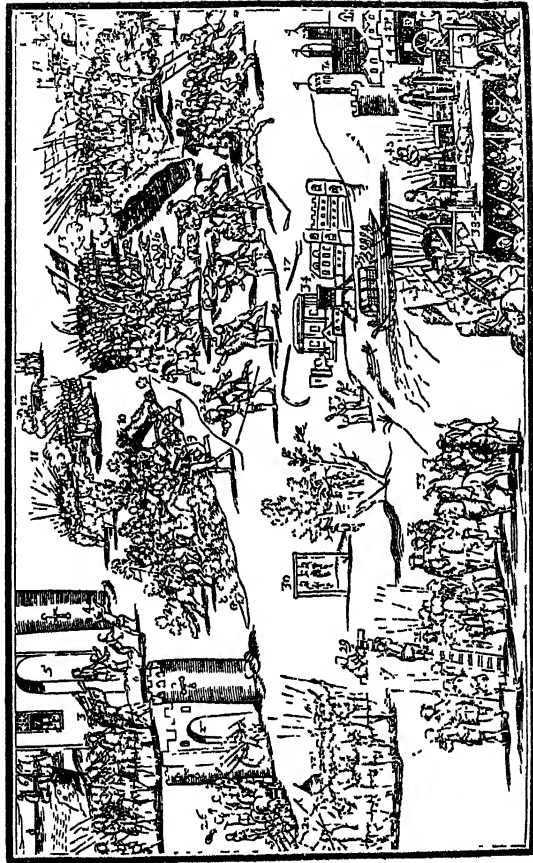
“ To begin then, May 24, old style, we left Amsterdam about two of the clock, being Sunday morning, and in a lighter sailed for the Texel, our vessel being sent before us thither, but meeting with extreme cross winds all the way we arrived not till Saturday night, and then went all on board. Here our man of war with about 32 guns, where the Duke’s person was, was under an arrest by order of the States of Amsterdam, on the complaint of our Envoy, they presuming we had been clear, but we broke through our arrest, and Sunday morning at break of day, set sail for England. We had in all three ships; that of 32 guns carried most of our men, the other two were for our ammunition. We met with exceeding cross winds, most part of the time we spent upon the seas and arrived not at Lyme until Thursday, June 11, so that from Amsterdam to Lyme we wanted but two days of three weeks.

“ We landed without any the least opposition, and were received with all expressions of joy imaginable. The Duke, as soon as he jumped out of the boat on Land, call’d for silence, and then desir’d we would join with him in returning God thanks for that wonderful preservation we had met with at sea, and accordingly fell on his knees on the sand and was the mouth of us all in a short ejaculation, and them immediately well armed, as many as we were, entered the town.

“ Friday the whole day was spent in listing of men, which flocked to us so fast that we could scarce tend them with arms.

“ The like on Saturday also; and then about ten of the clock at night, 300 of our men were sent to Bridport, about six English miles off, to storm that town betimes in the morning; which we did accordingly, taking many prisoners out of their lodgings. And had not our soldiers been a little too eager of plunder, we had made a good day’s work on’t, but there lying about a wood some of the King’s forces, we were forced to retreat, losing three or four men and killing several of theirs and taking eight prisoners. This was the first action that he had.

“ Sunday also was spent in listing, and Monday morning, but in the afternoon we marched out of Lyme for Axminster, a little town four miles off. Our party was near 2000 foot and 300 Horse, though we landed not full a hundred men. And all these in the space of four days. About two miles from Lyme we espied



**Woodcut Heading to Verses**

Entitled "A Description of the late Rebellion in the West

(From the original in the Sutherland Collection)

## Monmouth's Rebellion.

the Duke of Albemarle, with about 4000 men, designing that night to quarter in the same time, which we had news of in the way. Yet we marched on in good order and came into the town, lined all the hedges, planted our field pieces and expected nothing more than that we should give 'em battel, they being not an English mile from the town. They made towards us as soon as they heard that we were there, but the Duke of Albemarle finding his men to be all Militia men of the County of Devonshire, and that they had no stomach to fight against Monmouth, retreated when he came within a quarter of an English mile of the town. He came from Exon with these forces, intending to lay a siege against Lyme, presuming we could not be ready in so short a time. But, finding us so well prepared to receive him, he wisely retired, his men being in great disorder and confusion, supposing we had pursued them, which was debated. But the Duke said it was not his business to fight yet, till his men had been a little disciplined, but rather to make up into the country as fast as possible, to meet his friends, not questioning but there would have been in several parts of the kingdom some action on the news of his success. But this in the end proved fatal to us, for had we but followed them, we had had all their arms, several more men, and might have marched in two days with little or no opposition, to the very gates of Exon, the country troops resolving not to fight us. And several came to us that night with their arms. But missing this opportunity, we marched to Taunton, lodging at several small towns by the way, which received us as kindly as possible. And all the way met with the loud acclamations of the country praying God to succeed our arms.

"Thursday we came to Taunton, about twenty miles from Lyme. To give a particular account of our reception here would be too tedious; the streets so thronged with people, men could scarce enter, all endeavouring to manifest their joy at his coming, and their Houses, doors and streets garnished with green boughs, herbs and flowers, all the emblems of prosperity.

"The next day, twenty six gentlewomen, virgins, with colours ready made at the charge of the townsmen, presented them to his grace; the Captain of them [Mary Blake] went before with a naked sword in one hand, and a small curious bible in the other, which she presented also, making a short speech, at which the Duke was extremely satisfied and assured her, he came now in the field, with a design to defend the truths contained therein and to seal it with his blood, if there should be an occasion for it. Nothing could now content the country but he must be proclaimed king, which he seemed exceeding averse to; and I really am of opinion from his very heart.

"They said the reason why the gentry of England moved not was because he came on a Commonwealth principle. This being the cry of all the Army he was forced to yield to it, and accordingly Saturday morning he was proclaimed. In the after-

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noon came out three proclamations, one setting a sum of money on the Kings head, as he had done before on the other. The second declaring the Parliament of England a seditious Assembly; and if they did not separate before the end of June, to give power and authority to any that would attempt to lay hold on them as traitors and rebels. The third, to declare the Duke of Albemarle as a traitor (who now lay within six miles of us, having had time to rally his men) if he laid not down his arms. Forthwith also a message was sent to command him; but he sent word that he was a subject to James the Second the late Kings brother and that he knew no other Lord."

[Albemarle's actual reply was as follows:—

"To James Scot, late Duke of Monmouth (Monmouth had lost his title by his attainder).

"I received yours and do not doubt but you would use me very kindly if you had me, and since you have given yourself the trouble of an invitation, this is to let you know I never was, nor ever will be a rebell to my lawful King, who is James the Second, brother to my late dear master, Charles the Second. If you think I am in the wrong and yourself in the right, when ever we meet I do not doubt but the justice of my cause shall so sufficiently convince you: that you had better have left this rebellion alone than to have put the nation to so much trouble.

ALBEMARLE." ]

"We tarried here till Sunday morning, and then march'd for Bridgwater, seven miles from thence. We were now between four and five thousand men, and had we not wanted arms could have made above ten thousand. We were received here as in other places, but did little more than read our declaration, which we did also in all other towns, the magistrates standing by in their gowns, and likewise our proclamations, and so march'd forward for Glassenbury. From Glassenbury we design'd for Bristol, three days march from that place, designing to attack it. Accordingly we arrived at Cansham-bridge [Keynsham, on the south bank of the Avon] a little town, three miles English from Bristol, intending to enter next morning, the Duke of Beauford [Henry Somerset, first Duke of Beaufort] being there with a garrison of about four thousand men. [Beaufort threatened to fire the city if any of Monmouth's friends were admitted, and locked up a number of dissenters and disaffected persons in the Guildhall.] Being here lodged in the town [Keynsham] we were on a sudden alarm'd with the noise of the approach of the enemy, being in no small confusion on this unexpected news. The Duke sent me up the tower to see whether he could discover them marching. As soon as he came up, he saw them at the very entrance into the town fighting with our men. Here we had a small skirmish, our men being in the fields adjoining to the town, refreshing themselves. But it lasted not long, for before he could bring word, they were

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fled, being not above sixty horsemen. They did us mischief, killed and wounded about twenty men, whereas we killed none of theirs, only took four prisoners and their horses, and wounded my lord Nubery, that it was thought mortal. [Charles Levingston, second Earl of Newburgh, in Scotland.] They came thither, thinking it had been their own forces, and had not our undisciplined fellows been too eager, and suffer'd 'em to come a little farther on, they would have entered the town, and we must have had every man of them. Their infantry was following, but on their return came not forward. These forces being so near and Bristol being so well mann'd also, the Duke was loth to pass the bridge for Bristol, though some gentlemen that came over with us, and were proscrib'd upon account of the former [the Rye House] plot, being Bristol men, and knew the hearts of the townsmen, begg'd him heartily to proceed towards it, offering themselves to go in the head of them into the town, by some private ways which they knew, assuring him they would make no resistance, but we could not persuade him. Which, had we been possessed of, we could not have wanted money nor arms, the only things needful for us in that juncture. For had we but had arms, I am persuaded we had by this time had at least twenty thousand men. And it would not then have been difficult for us to have march'd for London, with the recruit of Bristol, the King not being able to make 7000 men for the gaining of so many kingdoms. But God saw it not fit for us, and over-ruled our consultations to our own ruin, for this was in the top of our prosperity. And yet, all the while, not a gentleman, more than went over with us, came to our assistance.

“ So we marched on to Bath, we lay before it in the afternoon and sent in our trumpeter to demand the town, but they refused to give us entrance, having a strong garrison, it being a stout people, and a strong place. Having no mind to spend time in laying sieges, we march'd that day to a little town called Phillips-Norton [Norton St. Philip] and they lay that night, being now Sunday, the 26th of June, old style. Saturday morning, preparing for Frome, we were drawing out our baggage for the march, and on a sudden were alarmed with the appearance of the enemy, who had entered the town, and had lined all the ledges, and began to fire upon us. Here we began the briskest rencounter we yet had, and for an hour or more we had a brisk skirmish, but at last we beat them back, killing about thirty which lay in the place, and we lost about ten in all, and a few wounded. They retreating with their whole army, pitched within a mile of the town. And we went out also, and pitched near them, but out of musket shot, playing cannon one on another for some hours. They killed but one man all the while, but with ours we did great execution, having the advantage of the ground. So at last they retreated, and I have been told lost some hundreds of men in the battle, both killed and wounded. So we marched on for



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Frome, a town where we were as well beloved as at Taunton. Where we wanted for nothing but arms, which were by a stratagem taken from them a few days before our entrance. Here came the unexpected news of Argyle's being defeated and likewise of the advance of the King's forces from London, with considerable baggage and thirty field pieces. On this news, together with our want of money and arms (not seeing which way to avoid these forces) we were at a stand and not a little non-plus'd. Twas at last agreed on, that we that came with the Duke, should get good horses that night, and so for Pool, a little seaport town not far off, where we were to seize a ship and set forth for Holland again, leaving our infantry to the mercy of the country.

"This was much like that revolution of the Hollanders, in the time of the civil war with Spain, being, as we then were, in despair of making better terms, and not daring to enter Salisbury plain, because their horse being so much better than ours, their men all being disciplined, ours not, we could not face them in so plain and open a country, so that we retreated backward, in the meantime resolving to see what London would do, having a good opportunity offer'd them, the soldiers being call'd forth, and not two thousand men to be had for their defence if they had but attempted anything. This disheartened our men, and several of them coming home to their own country, having felt by experience the hardships of war, withdrew from us.

"We came well back again to Bridgwater, and were received with wonted love. We arrived here on Friday, the 3rd of July and resolved here to fortifie, so as to hold our ground till we heard from London. Saturday in the afternoon, news was brought of the approach of the King's forces within a mile and a half of the town, where they had encamped. The Duke went up into the tower, and there took a view of them, and seeing them so careless, and their horse at some distance from the army, in a little town, the infantry being in Sedge-Moore, he called a council on it. And it was concluded on, that we should fall on them in the dead of the night. Accordingly, having a guide to conduct us on in a private way, we march'd out at about eleven o'clock in the night, and about one fell on them in their tents. There was a ditch between us, and the guide promised to conduct 'em over an easy fordable place, but our men seeing the enemy just before them, ran furiously on, and lost the guide. So that while they endeavoured to recover over that place, the enemy got on their legs, and put themselves in order. And now began as fierce a battel as perhaps ever was fought in England in so short a time. Our foot fought as well as ever foot fought, but not a horse came up; had our horse but assisted, we must have beaten them out of the field. But our horses would not stand the noise of drums and guns, so that we soon lost two of our pieces of ordnance, and we had but four in all, and then but one more in the field. Our foot flung most of their shot over, so that the men for the most

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part were killed in the rear. And that run (sic) but the front stood still, and had we done as much execution in the front as we did in the rear, the day had been ours, but God would not have it, their time was not yet come. By this time their horses came up, and having six or eight hundred good disciplin'd men, well mounted and well armed, ours neither; our foot having shot away all their ammunition and our baggage being not then in the field, they were forced to retreat, being all in confusion.

"Having no money left, and our party thus unexpectedly repulsed, the Duke seeing he could not hold it any longer, fled with my lord Gray?

"The Duke's party was said to be about three thousand foot and a thousand horse. We had more, at least five thousand men and horse, but not well arm'd, yet in the field. 'Tis said we lost not above three hundred, and they foot, but after, when we were routed, in our retreat lost a vast many more, though they pursued not in save hours after.

"The most remarkable persons that were taken in this total rout were Colonel Holmes, Major Perrot, the constable of Crookhorn [Crewkerne] and Mr. Williams, servant to the late Duke of Monmouth.

"After the field was clear of the Duke's men, the Earl of Feversham marched with five hundred foot, and a party of horse and dragoons to Bridgwater, where he found the Dukes forces that were left there fled and dispersed into several places. When his lordship having left these men in the town under the command of Colonel Kirk, and hearing the late Duke of Monmouth was fled with about fifty horse, the greatest number of the Duke's men that were left together, he sent out divers parties in pursuit of him and others that fled the field. When, on the 7th of July, about five in the morning, some of the Lord Lumly's men seiz'd the Lord Gray and another person near Holt Lodge in Dorsetshire, four miles from the west of Ringwood. And the Lord Lumly, making further enquiry among the cotts, was informed by one Anna Ferrant that two men went over a hedge, proving to be the out-bounds of many enclosures, some of which were overgrown with fern, others with pease and oats. But guards being set upon the avenues, after divers attempts to escape the Brandenburg [Anthony Buyse, a German who had been in the service of the Elector of Brandenburg] one of the parties observed to enter the ground, was taken on the 8th of July about five in the morning. [Buyse subsequently gave evidence against Monmouth and others and was sent back to his own country.] Who confessing he departed from the late Duke of Monmouth about one o'clock of that morning in the outbounds, diligent search was made, when about eleven of the clock the same morning he was found, by one Henry Parking, hid in a ditch, covered with fern, who calling others to assist him, the said late Duke was in the end taken, and together with the lord Grey and the Brandenburg, with a

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guard brought by easie journies to Whitehall, where they arrived on the 13th of July, and after some examination were committed to the Tower. When, on Wednesday the 15th of July, the late Duke of Monmouth, pursuant to a warrant signed for his execution upon his attainder of high treason, was delivered to the sheriffs of London and Middlesex, about ten in the morning and conducted to a scaffold erected on Tower Hill. Where, after about half an hour's continuance, he laying down his head, had it stricken off by the executioner, the which, together with his body, being put into a coffin covered with velvet, was carried away in a velvet-covered hearse, in order to his internment."

### Ford, Lord Grey.

[This ends the narrative by Dunton's unknown contributor. Ford, third Baron Grey of Wark, who succeeded his father in 1675, was one of the many evil counsellors by whom Monmouth was surrounded. He first became prominent as one of the instigators of the Midsummer Day riot at the Guildhall in 1682, when the loyal Lord Mayor, Sir John Moore, exercised his right of appointing Sir Dudley North one of the new Sheriffs for the forthcoming year, and was opposed by two of the outgoing Sheriffs, Pilkington and Shute, in favour of their own nominees, Papillon and Dubois, who would have continued their own policy of packing all the juries against the King. The result was a serious riot, during which the Lord Mayor was assaulted, thrown to his knees,<sup>1</sup> and lost his hat. At the close of the proceedings the Lord Mayor, Aldermen, and Sheriffs were ordered to appear before the King in Council. After hearing both sides, Charles II. sent Pilkington and Shute in custody to the Tower, and ordered the Attorney-General to prosecute them as well as the rest of the rioters. Before the trial could take place Lord Grey was tried and convicted, in November, 1682, for seducing and carrying away his sister-in-law, Lady Henrietta Berkeley, and passed some time in prison before he would restore her to her father. Papillon and Dubois then applied for a "mandamus" ordering the Lord Mayor to declare them Sheriffs. The return to this "mandamus" was that there were two lawfully elected Sheriffs, North and Rich.<sup>2</sup>

<sup>1</sup> The Dictionary of National Biography in its life of Ford, Lord Grey, basing its assertions on Luttrell's "Brief Relation," terms this "a pretended riot." Luttrell's account was taken almost verbatim from the scandalously false "Impartial Protestant Intelligence" of Richard Jane-way, which suppresses the whole of the material facts. Apart from Muddiman's letters, there were plenty of other newspapers in existence at the time to contradict the "Impartial Protestant" and Luttrell.

<sup>2</sup> Carefully omitted by Luttrell. The whole of the legislation about the election of Sheriffs from the earliest times is set out at great length in Book V. of Strype's edition of Stow's "London," and proves that the Court party were undoubtedly in the right.

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Papillon and Dubois then caused the illegal arrest of the new Lord Mayor, Sir William Pritchard (a Tory), whilst he was hearing causes in his own house, on the 24th April, 1683. For this Sir William was, later on, awarded £10,000 damages in an action against Papillon, Dubois having died in the meantime.

The trial of the Guildhall rioters was delayed by the sickness of Sir Thomas Saunders, the then Lord Chief Justice, but at last took place on the 8th May, 1683.<sup>3</sup> The trial "held from 2 in the afternoon till after 9 at night, in which time all having been fully heard, the Jury brought in 14 of those mentioned in that indictment guilty of it. The Lord Grey (who had no right to be present at the Guildhall meeting), Pilkington, Sir Thomas Player, Shute, Bethel, Cornish, Jenkes, Jekell, Goodenough, Simmock, Freeman, Deagle, Keyes and Wickham" (all leading Whigs). The question of the fine was held over for consideration.

On 11th May, 1683, two magistrates and a constable visited Lord Grey's house in Charter House Yard, and seized a quantity of arms stored in readiness for the Rye House plot (which had not yet been discovered), and afterwards arrested Grey and one Ireton who had supplied them. In Council at Hampton Court on the 16th the King ordered Grey to be released, on giving security in £10,000 with two sureties in £5000 each. Ireton was discharged without bail. On the 26th June, 1683, the rioters were fined, Lord Grey 1000 marks (£666 13s. 4d.), Pilkington £500, and the others less sums.

On the same day Serjeant Deerham was sent with a warrant to arrest Lord Grey as a Rye House conspirator. The following amusing account of Grey's escape was given by Muddiman in his newsletters:—

28th June, 1683. Deerham "met his lordship about Kingston gallows betwixt 7 and 8 at night and there arrested him, carried him in custody to Whitehall, where, after examination he was again committed to the Serjeant with a warrant for High Treason, to be committed to the Tower. The Serjeant had strict command from his Majesty's own mouth to take a sufficient guard of musqueteers with him and carry him immediately away, but contrary to the express order, by what inducement I know not, carried him over to the 'Rummer,' suffered him to go to bed and there continued with him till 4 next morning. And then refusing to go with any guards, though offered, went single with his lordship in a coach for the Tower. But before the time they got thither, the Serjeant fell asleep and his lordship made his escape, leaving the Serjeant fast (asleep) in the coach. To this some add that a soldier of the Tower seeing his lordship make away, pursued him to the midst of the Thames, crying out 'A Traitor!' But when he went into the boat his lordship whispered to him and then the

<sup>3</sup> The Dictionary of National Biography errs in saying that the trial took place in February.

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soldier changed his note, said he was mistaken, and went along with him." The Serjeant was then placed in a dungeon in the Tower. Grey's name appeared in a Proclamation on the 25th.

26th July, 1683. "Lock who carried over the Lord Grey" (to Holland) "is in custody and has confessed that he carried him and Lady Henrietta, his sister-in-law and Mr. Turner, her husband (an "accommodation husband" produced at the trial), the soldier at the Tower and him that hired the vessel, to Middleburgh, and that there the lady fell sick and that his lordship, unwilling to run the hazard of a stay there, left her there."

Lord Grey remained in Holland until he came over with Monmouth in 1685. He then behaved with such cowardice when interrogated by James II. that he was suspected of having betrayed Monmouth from the start. He turned King's evidence at the trials of Lord Brandon and Gerard and of Lord Delamere, and was eventually restored in blood and estate. In 1695 William III. created him Earl of Tankerville.]

### More Gossip about Lord Jeffreys' Western Circuit.

"After the Duke was beheaded, many prisoners taken and them that fled by parcels up and down secured in divers goals, in order to their prosecution, as was said, according to law, which was the occasion of this great man's shewing his parts to such a degree as he did, no one else being fit to be made a tool for such a bloody tragedy as he acted.

"He went not only as judge, but had a breviate under King James's hand to command what troops he pleas'd to attend his commands from place to place. [The countryside was still in a disturbed state, and at least one attack is known to have been made upon the judge's escort, by rebels still at large, so that it is probable that there was a letter of the kind from the King addressed to the officer in command of the troops escorting the judges.] And was Lieutenant-General as well as judge [this is a falsehood], and he gave daily the words and orders for going the rounds etc and ordered what party of troops be pleased to attend him. When Major C——d who commanded the first regiment of guards, the dragoons, who were as his lifeguard, when at the head of the troop following Jeffreys from Somersetshire to Wiltshire, in order for London, after the Assizes, the Major asked Jeffreys, if there would be any favour shewn to one Mr. Speake, who was not the Speake intended? Jeffreys said, 'No.' His family owed a life, he should die for his namesake because one of the family and name was guilty of being in the action but was escaped, and therefore this being his brother should die. [The whole Speake family would probably have been executed had they not fled the country. See the list of those excepted from pardon in Appendix C.] Jeffreys demanded of the Major how many he

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thought there was killed by the soldiers. He replied a thousand. Quoth Jeffreys, 'I believe I have condemned as many as that myself.' 'Tis to be remembered that the fellow called Tory Tom at Wells, for his dirty sauciness was sent to the guard by his Major. When presently this Tory Tom petitioned some persons to intercede with his Major and sent the Major a letter desiring his liberty, for that if he or any one should give Tory Tom an ill word to Judge Jeffreys, the judge would hang him, right or wrong, with the rest of the prisoners, or condemn him at least. So upon his submission, the Major discharged him and did not leave him to the mercy of his own Tory judge.

"The trials in the West were deferred (for some time after the fatal blow given to the Duke of Monmouth on Tower Hill, which was the 15th of July following) because of my lord's being at Tunbridge, but, the latter end of August, he, with a special Commission of Oyer and Terminer, assisted with four other judges set forward with a party of horse, he being made by special commission their General. [No such special commission can be traced.] The first place he came at was Winchester, where there were divers prisoners on suspicion, but here began the tragedy, for the lady (sic) Lisle was there arraigned for High Treason in harbouring Mr. Hicks and Mr. Nelthorpe that had been concerned with the Duke. [She was indicted for harbouring Hicks, not Nelthorpe, whom she did not know.] The lady being on her trial, the jury were dissatisfied once and again. [This is the origin of Kennett's 'acquitted three times,' and of the subsequent additions by Oldmixon and Burnet.] But my lords threats and other managery so disposed the jury that at last they brought the lady in guilty. On which he pronounced the sentence of death on her, as usual in such cases, but she had the favour of being beheaded. Their other prisoners were carried to Salisbury and this case was the most remarkable thing at that Assizes.

"From thence they set forward for Salisbury, where were many prisoners that had been pick'd up and down the country, then in the goal (sic), the which, with these that had been brought from Winton were ordered to be carried to Dorchester, there not being evidence enough to accomplish what was then designed by my lord, so that little of moment passed there. But to pursue the matter, proceeds from thence to Dorchester, where he with his assistants, gowmen and swordsmen, arrived on the 3rd of September, on which day Thursday the Commission was read. Friday morning, was an excellent sermon preached by a worthy divine, Chaplain to a worthy person of that country, much tending to Mercy. It was observed that while my lord Chief Justice was in church at prayers, as well as at sermon, he was seen to laugh. [Any one can smile in church, but only an evil mind would place an evil construction upon a smile that in ninety-nine cases out of a hundred is innocent.] Which was so unbecoming a person in his character, that ought in so weighty an affair as he was then

## The Bloody Assizes.

entering upon, to have been more serious, and have craved the assistance of God Almighty.

“The sermon being over, their lordships repaired to the Court, which by order of the Lord Chief Justice was hung with red cloth, a colour suitable to such a succeeding bloody tragedy, [in all County Assize Courts to this day red curtains generally screen off the judge’s chair, and this assuredly is the only foundation in fact for this falsehood] being accomplished by a numerous company of the gentry of that county, *as well as by the flower of the neighbouring counties of Somerset and Devonshire* [as if there would have been room for them!] and then proceeded to give the charge. In which charge [of which there is no record] by reason of the severity of his sentiments and positions laid down to make discoveries of all such as were abettors, aiders or assisters to the late Duke of Monmouth, on pain of high treason which was a great surprise to all the auditors (?) and so vehemently urged and so passionately expressed, as seemed rather the language of a Romish inquisitor than a Protestant judge. And then adjourned until eight of the clock next morning, when was a bill found against thirty persons charg’d for high treason, for aiding and assisting the late Duke of Monmouth. Who put themselves on their trials, notwithstanding my lords threatening that if any did put themselves on trial and the country found them guilty, they should have but a little time to live. And at the same time insinuated that it were better to plead guilty if they expected any favour.

“These thirty being on trial, the evidences being sworn and examined before the jury, upon the whole by the violent deportment of the Lord Chief Justice and sharpness of the jury, they found twenty nine guilty, though some of them were very hardly dealt with and not so criminal as my Lord and the country imagined. Particularly among the twenty nine were Mr. Matthew Bragg of Thorncomb [he was of Chaffeigh, Devon, and the house, called “Hutchin’s house,” at Thorncomb was his property only] and Joseph Speed, of Culliton in the County of Devonshire, and Mr. Smith, constable of Chardstock in the said county and George Steward of Culliton aforesaid. The circumstances of each of these and the severity of their being found guilty etc shall be showed in his (sic) proper place, before we take leave of this town and proceed on in this Western expedition.

“The said twenty nine being found (as before) guilty, my lord immediately pronounced sentence of death upon them all, as usual in cases of high treason, and did the same night give a warrant to the sheriff for the execution of thirteen of the twenty nine on Monday following, which accordingly was done, notwithstanding great application was made to the Lord Chief Justice by gentlemen of the best quality in this *and the neighbouring counties* for a reprieve of Mr. Bragg to all which he was deaf, and not to be prevailed upon, though he was assured of his honesty and

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true conformity to the Church of England, yet it availed nothing. At last it was only requested for ten days respite, yet that had no better effect, but on Monday, he with twelve more of that number were accordingly executed at Dorchester.<sup>4</sup>

“ In the mean time this proceeding was design'd to shorten business, and to wheedle the rest that were to follow to a confession, which without it the tenth part of them could not be proved guilty. A method was also taken without president [precedent] to entrap many poor ignorant people, by a couple of officers that were sent into the gaol, to call over and to take the names of the prisoners, on promise if they confest, they might expect mercy, otherwise not; which many did. And this was written so, that had they pleaded 'Not guilty,' these two were designed to have been evidences against them from their own confessions.

“ The only thing remaining was the pronouncing the sentence of death upon them, which were in number 292 who received sentence of death all at once. One Mr. Lawrence put himself on trial but by the jury found guilty, whose case was heard, his circumstances being so small to be condemned to die, and had actually suffered, had not application been made to my lords favourites and with the payment and securing of £400 preserved him from execution. [If his circumstances were so small, how was £400 raised? At Dorchester John Lawrence was ordered to be executed at Sherborne, and Samuel Laurence was ordered to be transported by Sir William Booth. Neither appears to have put himself on trial.]

“ This matter being adjusted and execution awarded to about eighty [an exaggeration religiously copied by Kennett and the other historians] which were executed, and their quarters set up and down the country to the dread of the spectators as well as the annoyance of the travellers. His extraordinary whippings, though unmerciful, are not to be taken notice of. So we leave this place and proceed towards the city of Exon. In their way thither, lying at an honourable gentleman's house, divers of the neighbouring parishes made their petitions to the Lord Chief Justice in behalf of some relatives concerned. It happened, thro' some disorder among his servants, some pistols were fired that night which gave him a suspicion, or at least the look of it, of some design upon him. On which at parting he said, not a man of all those parishes that were of that vicinitude, if found guilty, should escape. [There was a serious night attack by an organised party of rebels,

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<sup>4</sup> Mary Bragg, Matthew's widow, received the income of the property at Thorncombe (containing about 73 acres in all) by a grant under the privy seal, to trustees for herself and Bragg's sons after her. She also received all Bragg's personal estate (Cal. of Treasury Books, 1685-1689, pp. 1806-7), so that evidently great influence must have been brought to bear in her favour.



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duly chronicled in the newsletters, but Jeffreys' speech, of course, is apocryphal.]

"And so we proceed and arrive at Exon where to the number of 243 prisoners being in custody for assisting the Duke of Monmouth. [This exaggeration is the cause of Kennett's assertion that "near as many" were executed in Devon as in Dorset.] One amongst the rest Mr. Fower Acers, pleading not guilty, he being found by the jury, the said Lord Chief Justice immediately pronounced sentence upon him, and immediate execution which was done to terrify the rest, who all pleaded guilty. So that these unfortunate people had no time to have the fairness of trials allowed them, which is a right due by the laws of God and man. The remaining number he all condemned; and here was a little sparing; not so many order'd execution as was in the other County, but those that were executed [twelve in all] were hung up and down in most towns of the county, and their quarters and heads scatter'd up and down the high ways and publick places. An extraordinary sentence of severe whipping was pronounced against Mr. Samuel Staple of Thorncomb in the said County. [He seems to have been fined and nothing else, according to the judges' lists. The gaol book simply notes that he pleaded guilty.]

"But these are trifles, and we shall endeavour to pursue our design, and make as quick dispatch as we can, that time may not be lost, the King served, and this Miscreant's thirst quenched with Protestant blood, which is always well pleasing to inquisitors, and so proceed to the town of Taunton. At which place being arrived it was thought fit by the Lord Chief Justice to be as expeditious as might be, so that late in the afternoon the Court sat, where the Commission being read he proceeded to give the charge which was so very keen and full of sharp invectives, as if the country itself had not been able to make expiation to his lordship, to quench his thirst in the blood of those that ventured their all in defence of the Protestant religion. And here we enter upon the bloodiest part of the tragedy. In this town and at Wells in the said county were more than 500 prisoners.

"To begin at Taunton. The next morning after the charge given the assizes began, where some few put themselves on trial, who were found guilty, and immediately order'd to be executed. Of which number Mr. Simon Hewlin was one, who was a zealous worthy good man, and his case no way dangerous, but on the contrary had he had to do with a judge of another stamp. To proceed to the rest. This first cruelty caused the rest to plead guilty in hopes of favour, which was only a few days to live, which those that pleaded had not. Amongst these at Taunton were divers eminent persons that had been taken in the West and carried to London, and brought down there to compleat the bloody tragedy in those parts. Mr. Parrot (Robert Perrot), Mr. Hewling, the elder, Mr. Lisle, Mr. Jenkins, Mr. Hucker, and divers others were very eminent. To take notice of every particular in this matter will alter our

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design and swell the book to too great a bulk, being only designed for a pocket companion, and useful it may be to see the cruelty of men when in their power, and how the Devil stirreth up his instruments to pursue those that adventure for the Cause of God and Religion. Here were executed in this county 239. [The total number of those ordered to be executed in Jeffreys' warrant of 26th September, to the Sheriff of Somerset. The warrant, therefore, was well known, but not the results of it.] The rest that were condemned were transported, except such as were able to furnish coin, and that not a little. For an account was taken of men's abilities, according to which the purchase for life must be managed by two of his favourites, who had a small share, the rest went into his lordships pocket [Had this been true the names of the "favourites" would have been mentioned. Dunton's loose accusation evidently refers to George Penne and his brother] according to the actions of Rome, where sins of any kind may be pardoned for money. This, indeed, was a glorious design in the eye of Mother Church to root out heresy by executions and transportations to make room for a pack. Here, expedition must be made to conclude at Wells, for that a great man being fallen, our great judge designing his chair: which, in short, he had [the Chancellorship] as the reward of so eminent and extraordinary a piece of service as he did for the advancement of the Roman Catholic interest, which is cruel always where it prevails.

"Thus we leave the town of Taunton, after awarding execution to many there, and their quarters to be scatter'd up and down the country, and so we proceed to Wells, where divers prisoners that had been carried from Gaol to Gaol, in expectation of evidence against them were in carts removed to Wells. In which place, to finish this expedition, the same method as was at the former assizes was also taken here by a severe charge, affronting the gentlemen of this County, as he had done in all the counties before terrifying the juries (when any pleaded) to make them bring in the persons guilty. Some of which being overawed, and it is doubted, contrary to their judgments, which, if so, the Lord forgive them.

"Here were many eminent (sic) and worthy persons that received the sentence of Death, but the executions of the county being put together, as you have before seen, we make no particular division of the number here and the number at Taunton, the whole being recited before. We shall, therefore, endeavour to be as brief as we can, to give you what we think material, and truly matter of fact, my lord being now come to conclude this extraordinary commission and in haste to be elevated, maketh all manner of dispatch to repair to the King, then at Windsor, to give an account of his transactions, and to receive the reward of his meritorious service in this butchery of Protestants, which is so acceptable to his Holiness and his bigotted disciples as nothing can be more. And, indeed, if you will believe them, a work that

## The Bloody Assizes.

merits Heaven at last, besides what temporal preferments are thought fit in this world. If this cruel judge were a true Protestant, his case is much the worse, being made use of as a tool to destroy and carry on the Popish designs. Thus, the affairs being ended, the country filled with Heads and quarters of those that were executed, the rest that had not wherewith to purchase their lives, left in custody in order to transportation. I shall next add the charge given by the Lord Chief Justice Jeffreys, at the City of Bristol, Monday, September 21, 1685. In his *return* (sic) from his Western Campaign."

[This heavy and stupid piece of scurrilous satire is reprinted from Tutchin's half-sheet, and is not worth repeating.]

"My lord, after he had left Bristol, being come to the King to give an account of his affairs in the West, the Great Seal being to be disposed of by the death of the Lord Keeper, he kiss'd the Kings hand for it and was made Lord Chancellor, which was only an earnest of his desert for so eminent and extraordinary a piece of service. For now, all that remains is to give an account of divers that fled, and hid themselves up and down in holes and privacies, whose friends made all application to some great men or other to procure their pardons, some to this and others to such as they thought favourites of the King. But the rewards must be ascertained, which, amongst many of them put together, did amount to considerable. So that it was now, who could find a friend to relieve his distressed relatives, which were forced to wander up and down in Caves and desarts in fear of being taken. But this misfortune attended the agents, that unless my lord Chancellor were used by his creatures, that were allowed by him to do so, other applications commonly met with disappointments, which caused an emulation among the great men, one supposing to have the King's ear as well as another, which caused other measures to be taken, tho' some were weeded out of their money. At last came out a general pardon, with exceptions, very few of any of those that were solicited for, not being excepted, were of course pardons. [The pardons were either under the Great Seal or the Privy Seal, and, as all are extant, the untruthful nature of a general accusation of this kind will be evident to those who consult the lists. Very few people were pardoned.] But, however, divers sums of money being paid no restitution to be had, for from Hell there is no redemption. A Western gentlemen (Edmund Prideaux) came to fifteen or sixteen hundred guineas, which my lord Chancellor had. Among the exceptions, were a parcel of Taunton girls some of which were children of eight or ten years old. However, something was to be made of them if these ladies were judged guilty of treason, for presenting the Duke of Monmouth with colours etc. And for to preserve these from trial, they were given to Maids of Honour to make up their Christmas box, so that an agent of theirs [George Penne] was sent down into the country to compound with their parents, to preserve them



**Lord Jeffreys as Lord High Chancellor**

*(From an engraving at South Kensington)*

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from what might after follow, if taken. So that some, according to ability, gave £100, others £50, all which however did not answer the ladies first expectations, yet it did satisfy, and they were accordingly pardoned. Thus, we have given you an account of what hath happened on this occasion, being in every point truth. We might have farther enlarged, but that would have spoiled the design [general accusations being safer than detailed ones] and swoln our pocket companion to a volume too big.

“We shall therefore proceed to give you a true and exact list of all them that suffered in the West, in the year 1685, under the sentence of my<sup>l</sup>ord Chief Justice Jeffreys, with the names of the towns where every man was executed.”

[The list then commences as follows:—Lyme, 12. Col. Holmes, Mr. Batiscomb, Mr. William Hewling, Mr. Sampson Lark, Dr. Temple, Capt. Madders, Capt. Matthews, Mr. Joseph Tyler, Mr. William Cox, &c. For some unexplained reason the names of the remaining three executed at Lyme, viz., Jose. Ascue, John Hayes, and Geo. Jackson, are not set out. Then (commencing with Bath, 6, &c.) the whole of the schedule to Lord Jeffreys’ warrant of 26th September (set out in Appendix B) is given in full. As this contains 239 more names, the veracious compiler of this list was able to remark at the end, “Suffer’d in all 251. Besides those hanged and destroyed in cold blood.”

It seems probable, therefore, that he had been told that 251 was the sum total of all executed, and as he possessed a copy of the schedule to Jeffreys’ warrant of 26th September, set it out and prefixed the Lyme list to it, to make up that total.]

## The Lord Chancellor.

The remainder of the “Impartial Life” is worthless, and terminates in doggerel verse of Dunton’s own composition, for he, like Tutchin, was also a “poet.” I shall therefore describe the end of the Lord Chancellor’s career largely from inedited sources, and shall merely expose the untruths in the “Impartial Life” as I go along.

If Lord Jeffreys had been the incompetent and unjust judge depicted in the “Bloody Assizes,” it would naturally follow that his career for the three years and more during which he was Lord Chancellor would have been far worse, for he was now to lay down rulings in the one Court in which both learning and a wide outlook upon the future of the law laid down is most required.

Every great lawyer who has had occasion to examine or comment upon the numerous decisions of Lord Jeffreys disclosed in the law reports of the times has commented favourably, and, in most instances, with surprise, at the knowledge of the law displayed by the Lord Chancellor Jeffreys. Sir Joseph Jekyll was a strong Whig, born in 1663, and appointed Master of the Rolls

## The Bloody Assizes.

in 1717. He has left upon record his opinion of Lord Jeffreys—that he was “an able and upright man, wherever he sat” and “a great Chancellor.” Among living writers Lord Birkenhead says of Jeffreys in his sphere as Lord Chancellor that “he did good useful work without passion or ill-will—a fact which may perhaps reinforce the suggestion that his ferocity in Crown prosecutions was a deliberate pose, with a deliberate object, the inspiring of terror.” Of the earlier part of Jeffreys’ career Lord Birkenhead remarks that “the case against Jeffreys has, in fact, been overstated,” and “there must have been, on the whole, something exceptional about his ability or he would neither have risen so fast, nor have been hated so heartily.”<sup>5</sup>

Over and above all minor cases, the great example of Lord Jeffreys’ learning as a lawyer is his judgment in the “Case of Monopolies”—*East India Company v. Sands*—in which all the leading counsel of the day were engaged. “The text of Jeffreys’ judgment (printed in 1689) is such as to dispel all doubt of Jeffreys’ learning in the whole field of law.” Lastly, one cause, and one cause only, is mentioned in the “Bloody Assizes,” and this Dunton narrates as follows:—

“There was a considerable suit depending before him in Chancery, between a great Heiress and others which was sufficiently talkt’ of in the world, not without loud and deep reflection on his honesty and honour [?]. For, having given the cause for the young lady, he very speedily afterwards married her to his son, with this remarkable circumstance, she being a Papist, to make sure work, he married them both ways, both by a priest of the Church of Rome and a divine of the Church of England.”

This was the case of Baden and other creditors of Philip, seventh Earl of Pembroke, deceased, against the then Earl of Pembroke, the Dowager Countess of Pembroke (Henriette de Kèroualle, sister of the Duchess of Portsmouth) and her daughter, Lady Charlotta Herbert, heiress of the dead Earl. The case is very fully described in Vernon’s Reports, vol. ii., and was decided on 21st May, 1688, by Lord Jeffreys, the Master of the Rolls, and Justices Lutwych and Powell. Pollexfen was for the creditors. The question was roughly whether the creditors could seize an interest in lands settled by the late Earl upon his marriage with Henriette de Kèroualle. “The Lord Chancellor was clear in it, that this term (of years) redemised ought not to be made personal assets, nor be otherwise liable to any of the debts of Earl Philip than the inheritance was (to wit) bond debts, or debts of a superior nature, and therefore he agreed entirely with the judges and the Master of the Rolls and was glad to find them concur so unanimously with him in opinion. And he declared that Mr. Justice Thomas Powell who had been likewise attended with a case and

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<sup>5</sup> Lord Birkenhead’s life of Jeffreys in “Fourteen English Judges” (1926).

## Life of Lord Jeffreys.

was to have delivered an opinion in this matter (but was removed from being a judge) had been with his lordship, and had declared his opinion was, that the redemised term ought not to be any farther assets, or liable to debts than the inheritance would have been."

That this was good law, even laymen will not doubt.

Lord Jeffrey's son married Lady Charlotta Herbert on Tuesday, 17th July, 1688, the ceremony being performed "by a Protestant minister." On the Saturday following, the 21st July, "he was married again by Bishop Ellis at the Chapel at St. James's; the reason is supposed to be because the Countess Dowager of Pembroke, mother of the bride, is a Roman Catholic, if not the bride herself."

And this is the whole of the foundation for Dunton's malevolent tale.

Another instance upon which the "Impartial Biography" touches, and which, of course, is quite untraceable, is a story of King James's flight to Faversham. "When the late King James was secured at Faversham he desired to see his landlord and demanded his name, who proved a person who had turned himself over to the King's Bench, for a fine which fell upon him and Captain Stanbrooke in Westminster by the Lord Chancellor's means at the board; which King James, calling for a pen and ink, bid the gentleman write the discharge as effectually as he would, which he signed, adding that he was now sensible my Lord Chancellor had been a very ill man and done very ill things. If he was thus censured by his master," goes on Dunton, "for his former services and he had a bad opinion of him: without prophecy any man might predict his service and interest was ceased. And his life would have been like the scape goat, he must have born all their crimes and been beheaded for his own, for no less indignation than death was couched in his words. Thus may be seen what would have been his end."

If this story is true, it tells more against King James than it does against his Chancellor.

Robert Midgley, afterwards licenser of the press to William III., dedicated his "History of the War of Cyprus" to Jeffreys in 1687, and alluded in his dedication to the design of the Rye House plotters to murder Jeffreys. "Nothing," said Midgley, could do greater right to the Chancellor's merits, "than what has come from the mouths of the late flagitious rebels themselves, who were so highly sensible of your lordship's wisdom and courage, in opposing their hellish and damnable designs, that their principal leaders were us'd to please themselves with nothing more than with the thoughts and wishes of making your lordship a sacrifice to their malice and revenge."

Midgley then drew attention to a bold stroke of justice for which Jeffreys has never received the credit he deserves.

At the close of 1678 the House of Commons indicted Charles

## The Bloody Assizes.

II.'s minister, Lord Danby, and five Catholic peers, Lords Powis (the head of the Catholic nobility), Stafford, Petre, Belasyse, and Arundel, for Oates's Popish Plot. All being peers, they could only be tried by the House of Lords and by no other Court. At the close of 1680 William Howard, Viscount Stafford, was pitched upon as being the weakest and the most likely to be terrorised into a confession of the truth of Oates's tales. He was tried by the House of Lords and—disappointing all the hopes of the Whigs by resolutely denying the existence of any plot at all—was beheaded on 29th December, 1680. After the dissolution of his last Parliament by Charles II. at Oxford in March, 1681, Danby and the four surviving peers remained in the Tower without hope of liberation until another Parliament was summoned. Reiterated applications by habeas corpus on behalf of Danby, who was seriously ill, only resulted in the judges refusing bail, for they feared to interfere in what was a matter for Parliament to consider. Shortly after Jeffreys was made Chief Justice, Lord Petre died in the Tower, on the 6th January, 1684. "He left a declaration of his innocence and that he received no commission, as Titus Oates swore against him."

This, and the fact that Lord Danby again moved the Court by habeas corpus on the 28th January, drew Lord Chief Justice Jeffreys' attention to the injustice of keeping the peers still in prison. When, therefore, on the 4th February, "the Earl of Danby was according to the rule of Court brought from the Tower to the King's Bench Bar, where Mr. Wallop, Mr. Holt, and Mr. Pollexfen argued the hardness of his case and gave their reasons why he ought to be admitted to bail, his lordship also offering several things on his own behalf and desiring the judgment of the Court," a decisive move to end the matter was made by the Lord Chief Justice.

"Sir Thomas Walcot, speaking first, as youngest judge of the Court, said that till now he was wholly a stranger to the case, which, being of very great importance, he required time till the next term, to consider and weigh it, before he gave his opinion. Mr. Justice Holloway, for the same reason, desired time. Mr. Justice Withens declared that he was ready to give his opinion, but his brothers not having given theirs deferred it." Then Jeffreys spoke, and the end of the matter was foreseen.

"The Lord Chief Justice declared freely that to what he had hitherto heard, he was of opinion he (Lord Danby) ought to be bailed, reserving his definitive sentence. The Earl of Danby pressing farther, that there might be no delay of Justice, the result was that his counsel might move for another 'Habeas Corpus,' that he might be brought again, if possible, before the end of the Term."

If Danby was to be bailed, then also the Catholic peers might be bailed: thus, "on the 9th a Habeas Corpus was brought for the Roman Catholic Lords in the Tower." Finally, "on the 11th "



## Life of Lord Jeffreys.

of February, 1684, "the Earl of Danby was admitted to bail of his own bond in £10,000 and four sureties," the Dukes of Somerset and of Albemarle and the Earls of Oxford and of Chesterfield, each in £5000. "And upon the like recognizances, the Earl of Powis; his sureties," the Dukes of Norfolk and of Beaufort and the Earls of Pembroke and of Peterburgh. "Next, the lord Arundel of Wardour," his sureties the Earls of Dorset, of Bath, of Scarsdale, and of Clarendon. "Then the lord Bellasis," his sureties the Earls of Westmoreland and of Ailesbury and Viscount Falconbergh and Sir John Talbot. "These three last prisoners in the Tower for the Popish Plot. And the Earl of Tyrone, prisoner on the same account in the Gatehouse, his sureties the Earls of Roscommon, of Carlingford and of Mount Alexander and Lord Annesley. All bound to appear the first day of the first session of the next Parliament before the Lords in Parliament."

Without Jeffreys, the other judges would never have dared thus to invade the privileges of the Lords and Commons. Midgley rightly described this step as "a bold stroke of Justice which had set at liberty those who were condemned to a perpetual confinement."

### The Last Criminal Trial.

Lord Jeffreys' last criminal trial was that of Lord Delamere, for treason, before the Court of the Lord High Steward, summoned because Parliament was not sitting. The Lord High Steward was appointed only for the purpose of the trial, at the conclusion of which he broke his staff as a sign that his commission was at an end. It was customary for him to summon a number of peers to sit with him and act as "triers," in the absence of the whole House of Lords. This trial took place in January, 1686.

Henry Booth, second Baron Delamere, succeeded his father in 1684. He was a prominent Whig, suspected of having taken part in the Rye House Plot, and was undoubtedly guilty of preparation to assist Monmouth in his own county of Cheshire, where he had long been a prominent supporter of the Duke. Next to the trial of Titus Oates, this trial, of which an accurate and verbatim report was printed at the time, stands in relief for its picture of Jeffreys' conduct on the bench. Instead of the railing bully of the post-Revolution account of the trial of Alice Lisle, we have here a calm, dignified, and impartial judge, not in the least mindful of the insults Henry Booth had heaped upon him in the Parliament of 1680. Booth had then declared that Jeffreys' conduct as Chief Justice of Chester was like that of a "Jack Pudding." The "Jack Pudding" was now trying him for his life, for a crime of which he was undoubtedly guilty. The result was unexpected by every one. A principal witness for the Crown, one Saxon, undoubtedly perjured himself. Jeffreys was swift to

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detect him, and acquitted the then Lord Delamere. James II., who was present, was particularly indignant with Saxon, and, it is said, declared that he should share the fate of Titus Oates.

In February Saxon was tried for perjury and convicted. He was then sentenced to be whipped from Newgate to Westminster, and again from Newgate to Tyburn, and was also fined £500, and to remain in prison until he paid his fine. No sympathy was ever shown to him by the Whigs, and thus there has been no record of his trial.

### James II. and his Chancellor.

Lord Jeffreys was now to attract the hatred of his own side. Hitherto he had been obnoxious chiefly to the Whigs, whom, as a political force, he and his master, Charles II., had crushed out of existence. After his ruthless punishment of the Western rebels, James initiated a policy of Catholic aggression, of which most English Catholics and even Pope Innocent XI. strongly disapproved, for they thought it premature and foresaw the reaction. In all the measures now set on foot by James, his arbitrary proceedings under the dispensing power (which many good lawyers besides Jeffreys thought was inherent in the Crown)—the Court of High Commission in Ecclesiastical Causes and the Declarations of Indulgence—the King dragged a reluctant Chancellor at his heels. Jeffreys presided over the Ecclesiastical Commission, but it is nowadays quite certain that he did not advise the King to set it up. Burnet's assertion to the contrary is, as usual, an unqualified falsehood.

Strong churchman as he was—a churchmanship which he had proved by the part he had taken in the persecution of the dissenters—Jeffreys was now to stand by in impotent wrath and see these very dissenters rewarded by being granted all the important places in the Corporations all over England. Not for this had he advised the surrenders of charters all over England, and not for this result had so many towns given a submission to the Royal will, about which many Tories had misgivings. The men whom Jeffreys had detected and punished were now put into the public offices, from which the Tories were expelled. In the City the two loyal Aldermen who, as Lord Mayors, had played such a splendid part for Charles II. in 1681 and 1682, Sir John Moore and Sir William Pritchard, were actually turned out of their places. So also was Sir Peter Rich, the Tory Sheriff of 1682.

It was Sir John Moore, of whom Muddiman wrote on 14th August, 1683, as follows, recording an honour which has since been forgotten:—

“His Majesty has taken into his Royal consideration the services of Sir John Moore, late Lord Mayor of the City of London. He is a gentleman who held the Chair with the greatest justice

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and equity, and maintained the Sword with as much conduct and courage. In his Mayoralty the Dissenters mustered their legions in vain, their mutinous elections [of Sheriffs] were defeated, and in them the measures and confidence of the Faction [the Whigs] broken. 'Twas he who dared to make opposition to the then rampant party, and delivered the Government out of their hands, and restored the City to their Sovereign. With regard to such public and loyal services, his Majesty hath been pleased to recommend him as an example to posterity and ordered that he shall bear on a Canton Gules one of the Lyons of England as an addition to his Arms."

Yet James II. put an open slight upon Sir John by depriving him of his aldermanship. His arms can still be seen in the Guildhall, though the origin of the lion on a canton gules has been forgotten.

Dissenters, who, of course, were all Whigs, took their places, and the King selected one of them as Lord Mayor for the ensuing year, 1687. The same steps went on all over England, the King's putting into force of these measures not being gradual, but sudden, thanks to the clearance of the old charters Jeffreys had made.

It was not reasonable to blame Jeffreys for all this, but the Tories did blame him for it, and from this time the Tory hatred of him, increased by his presiding over the Ecclesiastical Commission, can be dated. He cannot be blamed for accepting an office in which, however much he may have disliked it, he was associated with Archbishop Sancroft and other bishops and churchmen. Jeffreys did not sign the Declaration of Indulgence, and let his refusal to do so be known. To all the blandishments of the King to change his religion Jeffreys turned a deaf ear, and at the time of James's last Christmas in London at the end of 1687, when James's attack upon the Church of England was at its height, Jeffreys even went out of his way to show his attachment to the Church of England. A newswriter's account of the religious celebrations at this Christmas deserves quoting.<sup>6</sup>

"On Saturday night last" (Christmas Eve) "His Majesty was at chapel for several hours" (midnight Mass of Christmas) "and with 5 of the nobility received the Sacrament at the hands of Bishop Laburne" (Leybourne). "The Lord Chancellor with my Lady came on Sunday morning into the city, attended by three of his own coaches and divers servants walking bareheaded—to Aldermanbury Church, the parish in which his lordship formerly lived, where he heard Dr. Stratford, the minister of the

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<sup>6</sup> In the newsletter dated 31st December, 1687, written by Ralph Randall (Sloane MSS., 3929). I think, from the phraseology used in his letters, that Randall was a dissenter who had rallied to James II., in consequence of the Declaration of Indulgence, and that he had been authorised to write newsletters, which are very valuable, owing to their descriptions of Catholic functions.

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place, and also received the Sacrament from him. No preaching was that day at Guildhall Chapel, it being shut up, but Mr. How, a Nonconformist minister, preached before the Lord Mayor at Grocers Hall. Three of the Aldermen, also a son of the Earl of Bedford, were present at the said meeting, but the Sheriffs and the rest of the Aldermen were in their respective parishes."

One can imagine the fury of the Tory churchmen at the countenance given to the Nonconformists, who, as Christmas Day was a Sunday, even evaded observing it.

As the early months of 1688 passed, the tactless dullard, James, was lulled into a false sense of security by the duplicity of William of Orange, with whom the Tories as well as the Whigs were now in secret correspondence. Even Jeffreys was at first unaware of what was on foot.

Catholic churches and chapels continued to be opened all over London. In January "a great house in Lincolns Inn Fields was erected for the Franciscan friars," and Lord Berkeley's house in St. James's was also fitted up for a monastery. Monks and nuns in their habits were to be seen everywhere. On 21st January it was reported that a clergyman in Hampshire, "a convert to the Roman Catholique religion, is like to obtain a dispensation for the continuance of his benefice although he do not officiate in person." Public baptisms of Nonconformist converts took place. Schools for girls in St. Martin's Lane, conducted by nuns, and open to Protestants, akin to those for boys already opened by the Jesuits in the Savoy, were opened, and at both of these establishments the methods of education were the highest and most efficient England had ever seen. Yet only ten years previously, the whole nation had been maddened by Oates's "Popish Plot."

Not satisfied with appointing his old enemies to municipal offices, James committed a crowning act of folly in trusting to the followers of Monmouth, whom he had caused to be punished so severely in 1685. John Johns, "who was one of Monmouth's captains," received a grant to be "muster master" of the City of London. How could James possibly imagine that this man would serve him faithfully? James was also busy in pardoning the Rye House and Bill of Exclusionist plotters. Even Sir Patience Ward (the author of the inscription on the Monument) received a pardon in February and had it allowed in Court, in his absence.

The one person James did not pardon was Dr. Burnet, whose extradition from Holland he was busily engaged in endeavouring to obtain. His envoy, the Marquis d'Albeville, presented so many memorials to the States on this subject that the suspicion was warranted that the Dutch kept him busy about Burnet in order that he might be unaware of the preparations in hand for the invasion of England.

In March, James, passing through Kingston-on-Thames, sent for one Grant, a leading dissenter, who had suffered very much, and announced that he was to be the new Mayor of that town. In the

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same month the Jesuits opened a new school by the side of their chapel in Lime Street.

At the end of April the public consecrations of the three new Catholic bishops commenced. Bishop Gifford was consecrated by the Papal Nuncio with great ceremony on Low Sunday at Whitehall. In May Magdalen College chapel at Oxford was consecrated, or reconciled, for Catholic use, and the chapel of the Benedictine Priory in St. James's was consecrated. Another bishop, Ellis, was also consecrated, this time at St. James's, and, on the following Sunday the third bishop, Smith, was consecrated at Somerset House, "with greater ceremony than the two former."

In June the trials of the seven Protestant bishops took place. With this, of course, Jeffreys had nothing to do, though he signed the warrant for their arrest, in common with others of the Privy Council, and he strongly disapproved of it. James's hopes reached their climax with the birth of the Prince of Wales on 10th June. The Whigs immediately set in circulation reports that the child was suppositious, but it was reported on the 4th August that the Prince and Princess of Orange had "written very affectionate letters to his Majesty of England and had sent presents to the Prince of Wales."

On 11th August Titus Oates stood in the pillory in Palace Yard, according to his sentence. Muddiman wrote that nothing whatever was thrown at him. Then, at last, news of the Dutch preparations came over. Their camp at "Mocker Heath," it was said, on 18th August would be "17,000 foot and 6000 horse." And at the end of August they had "augmented their fleet" to over 70 ships, of which 41 were capital. Their preparations were "as great as in wartime, and they had begun to enroll 9000 men." Yet the true object of all these preparations was even then denied. D'Albeville was in England at the time, and did not set sail for Holland until the end of August.

At the commencement of September, James, still bent on conciliating his worst enemies, appointed Sir John Isles, an Anabaptist, to be the next Lord Mayor. Then, at last, when it was too late, the King took alarm and consulted his Lord Chancellor. One by one during the month of September the King commenced to recall his measures. It was at Jeffreys' advice that he ultimately and ungraciously decided to summon a Parliament (which never met), and even restored all the old charters. On the 2nd October he sent Jeffreys in person to restore its old charter to the City of London, and thus Sir John Isles never became Lord Mayor. Within a few days he abolished the High Commission. Matters dragged on until November, when the Prince of Orange landed at Torbay. Then, at last, James found that he could not rely upon his army, and he took the very unkingly resolution to run away, and thus became the first Stuart to prove a coward. In the middle of the night after 10th December James abandoned Jeffreys at Whitehall, leaving him to shift for himself, and dropped down the river to

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Gravesend with the intention of taking ship for France. When, the next morning, this news became public, the mob rose and sacked all the Catholic chapels and monasteries in London. Anarchy reigned everywhere, and one of the most singular results was that a number of unauthorised newspapers appeared. One, *The Universal Intelligence*, printed by John Wallis, commenced the very next day, 11th December, and said that the King had fled about 3 a.m. in the night, taking Jeffreys with him. This, of course, meant that Jeffreys had also disappeared, and initiated a search for him. But in the next number, published on 15th December, there appeared the following passage:—

“Dec. 12. About 2 a clock George, Lord Jeffreys, late Lord High Chancellor of England, was seiz’d at Wapping in a seaman’s habit, brought in a hackney coach well guarded by constables, and accompanied by a vast crowd and loud shouts to the Lord Mayor, where the multitude cry’d out for justice. Either the Lord Chancellor being taken, or the extraordinary clamour of the multitude, caus’d my Lord Mayor to fall down in a paraletic fit, and the Peers being assembled with some of the Privy Council, in the Council Chamber at Whitehall, they order’d the lord Jeffreys to be sent to the Tower, where he was carried with a strong guard.”

The writer then proceeds to correct his former statement published on 11th December, and said that the King had not been accompanied by the Lord Chancellor “as was reported,” and that the fishermen about the isle of Sheppey had “made it their business to stop all that passed down the river that they suspected were making their escapes,” and seized a number of persons, carrying them to Faversham, in Kent. The peers then sent Lords Feversham, Ailesbury, Yarmouth, and Middleton to beseech the King to return.

No. 2 of another unauthorised newspaper, *The English Curreant*, published for 12th to 14th December (without any imprint), gave a different account.

“This morning (Dec. 12th) one Mr. Burnham, an ancient solicitor, who well knew the Lord Chancellor, had an opportunity accidentally to discover him in the house of Mr. Porter, an antient master of a Newcastle ship, living in Anchor and Hope alley in Wapping (within a door or two of the house whence the Earl of Shaftesbury [in 1682] took shipping for Holland) and thence he caused him to be carried to Capt. Jones, Commander of a Jamaica man. Whence Burnham, the said Captain and Mr. Turner an ironmonger, and his lordship in a coach drive to the Tower, where they delivered him to the custody of the Lord Lucas. After which they went up to the Lord Mayor and acquainted his lordship of what they had done. His lordship, after consultation, sent for the Chancellor, who was brought to Grocers Hall with a strong guard, through thousands of curses of the common people and reproaches of the better sort. After some time he was committed to the Tower by order of the Lords assembled in Council at Whitehall.”

## Life of Lord Jeffreys.

Yet another account appeared in a third unauthorised newspaper, *The London Courant*, No. 2, for 12th-15th December—

“London, December 13. Yesterday the Lord Chancellor of England was seized at Wapping in Anchor and Hope alley, where he lay in an obscure house, waiting an opportunity for transportation to some place of security. He was found in a very mean habit, like a seaman. And 'tis reported that one Mr. Gaunt, the husband of Mrs. Gaunt, executed for high treason in Monmouth's rebellion, upon whom the Chancellor, when Lord Chief Justice passed the sentence, for harbouring some that fled from the rout in the West [The writer evidently confuses the case of Elizabeth Gaunt, “the Protestant cheesemongers wife,” sentenced to death on 19th October, 1685, by Lord Chief Justice Jones, with that of Mrs. Lisle] was the man, who in his own neighbourhood caused to be seized his wife's judge, as a man who had fled from justice. When he was asked by them that seized him, if he were not the Chancellor, he told them he was the man. He desired they would keep him out of the hands of the enraged people, whereupon he was brought before the Lord Mayor of London under a very strong guard. It was about dinner time and he was very honourably entertained by my Lord Mayor at the upper end of his own table. A numerous crowd all this time attended the gates, and upon suggestion that the Chancellor might be dismissed by the Lord Mayor a backway, a gentleman made his way into the Lord Mayor's presence, who told him the Chancellor was his prisoner and that my Lord Mayor should secure his forthcoming with his own blood. Hereupon he was without any commitment sent under a guard of some companies of the City train'd bands to the Tower of London, where the Lord Lucas received him upon a voluntary resignation, till quickly after a warrant came from the Lords assembled in council for his commitment to the Tower for High Treason, where he now is in safe custody.

“London ditto. Upon the foresaid gentleman's menaces, and the no less threatening importunity of the crowd at the gates, the Lord Mayor was immediately seized with a convulsion fit, which terminated in a palsie. This day he hath had several more fits, insomuch that his recovery is very much questioned; at least his incapacity to act as a magistrate is like to continue no small time.”

As this last account is the latest in date, it is undoubtedly the most accurate. Sir John Chapman, the Lord Mayor at the time, died three months later on from the attack of apoplexy or paralysis, and was succeeded by the odious Pilkington, the packer of juries to whom Charles II. had refused the knighthood customarily conferred upon the Sheriffs.

### Death of Lord Jeffreys.

Ever since his appointment to the Chief Justiceship in 1683, Jeffreys had been subject to the painful malady of the stone, so

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prevalent in the latter part of the seventeenth century that, in reading through the memoirs and diaries of the times, one is left with the impression that it had assumed the character of an epidemic. Most people thought the best way to free themselves from it was to drink a good deal, and in this opinion Jeffreys no doubt shared. From this proceed the vague accusations of drunkenness preferred against him. But only one credible tale of a drunken frolic in which he was a party exists, and that is told by Sir John Reresby, and is probably exaggerated. In 1686 and, again, in January, 1687, Jeffreys' life was in danger from his malady, and for this reason he had the Cause room built in St. James's Park, the better to hear Chancery cases without moving from his house. He was now dying from it, and in the Tower received no visitors other than his doctor, Lower, and the clergy permitted to see him by the Peers who had committed him. Tutchin, whose tale that he visited Jeffreys in the Tower and was welcomed by him is improbable, was not in the least likely to have seen Jeffreys. Nor is at all probable that the Peers had so little respect for their own order as to allow men of Tutchin's class to visit and deride Jeffreys in the Tower.

One of the seven bishops, White, of Peterborough, and also Frampton, the bishop of Gloucester, visited Jeffreys, as well as Dr. Sharp, then Dean of Norwich, and later on Archbishop of York. "I found him" (Jeffreys) "sitting in a low chair, with a long beard and a pot of water," wrote Bishop Frampton, "weeping with himself, his tears were very great ones." Jeffreys said to the bishop, "My lord, all the disgrace I have suffered hitherto I can bear, and by God's grace will submit to whatever more shall befall me, since I see so much of the goodness of God in sending you to me." He asked the bishop to come again, "at what time I would receive the Sacrament."

Jeffreys complained to Dr. Sharp that people said he had given himself up to drink, whereas he assured the doctor that he had only taken punch to alleviate the pressure of the stone. He was able to eat scarcely anything, was unable to digest some salmon for which he had expressed a wish, and a poached egg was the only form of food he could retain.

A few days after Bishop Frampton's first visit, upon Monday, 15th April, Jeffreys made his will, and received the Sacrament from him in the presence of his wife and children.

His will is extant, and proves that he forgot no one, from the meanest of his servants to his old friend the Whig, Sir Robert Clayton. No one was forgotten. Then he added the following words, which deserve to be pondered over at the present day:—

"I was in hopes, notwithstanding my long indisposition of body, I might by the blessing of Almighty God have recovered so much strength as to be able to have vindicated myself if called to account, and made out that I never deserved to be under the heavy censures that I now do. I am sure I could have excused



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myself from having betrayed that Church of which I have lived and die a member, I mean the Church of England, which I take to be the best church in the world. And, in the words of a dying man, I declare I never contrived the Ecclesiastical Commission, and never acted thereon save in order to the service, not the overthrow of the Church."

Canon Jeffreys was lying mortally ill at Canterbury, and died in September. So he was unable to visit his brother. On 18th April Edward Jennings, one of Lord Jeffreys' executors, wrote to the Canon that "this morning about four o'clock it pleased God to deliver" Lord Jeffreys "from all his troubles and miseries." Jennings added that Jeffreys was very sensible to the last, "and had his speech till a quarter of an hour of his death, which he was apprehensive on Monday was approaching. And then he made his will, which was prepared by his directions. This being over, he gave his family many pious admonitions and exhortations in moving and passionate expressions and continued very devout to the time of his death."

On the following Saturday or Sunday Lord Jeffreys was buried in the Chapel of St. Peter ad Vincula in the Tower—the saddest place in the whole of London, where lie not only the bodies of saints and martyrs, like More and Margaret Pole, but also of rebels and criminals, like Robert Devereux, Earl of Essex, Elizabeth's favourite, and Monmouth. Three years later on Queen Mary ordered Lord Jeffreys' remains to be delivered to his friends and relations, who fulfilled the directions in his will by finally burying him by the side of his first wife in Aldermanbury Church.

And so passed George Jeffreys, Knight and Baronet, first Baron Jeffreys of Wem and Lord High Chancellor of England. That he was a great lawyer, a great judge, and a great man—the trusted confidant of one king and the neglected adviser of another—is beyond dispute. He was by no means exempt from the faults of his times, nor was he free from the defects of the judges of his day, but he has chiefly been condemned in modern times for his Western Circuit of 1685, about which the true facts have never hitherto been known. That this condemnation has been unjust, and that the word of the mean scamps of the Axe Yard clique ought never to have been allowed to be the primary source of information about Lord Jeffreys is now clear.



# APPENDICES.



# APPENDIX, A.

## MONMOUTH REBELS TRIED ON THE WESTERN CIRCUIT, 1685.

Being the Judges lists, sent in to the Treasury upon 12 Nov., 1685. Rearranged, with additional information from the Treasury papers, and in alphabetical order.

### FIRST LIST.

*Executed before the completion of the Lists.*

Name.	Place and Date of Sentence.	Place and Date of Execution stated in newsletters.
Abbott, Mich. (of Honiton, cordwainer)	Dorchester, 10 Sept.	Sherborne, 15 Sept.
Alston, Will.	" " "	" " "
Ascue, Jose	" 5 "	Lyme, 12 Sept.
Battiscombe, Chris. (of Symonds-bury, Dorset. Gent. Rye House Conspirator)	" " "	" " "
Beaumont, John, Senr.	" 10 "	Bridport, 12 Sept.
Bevis, John	" " "	Weymouth or Melcombe Regis, 15 Sept.
Bragg, Math. (of Dorchester, attorney)	" 5 "	Dorchester, 7 Sept.
Broughton, Thos.	Exeter, 14 "	Exeter, 14 Sept. (?)
Bull, John (of Axminster, husbandman)	Dorchester, 10 "	Bridport, 12 Sept.
Burridge, John	" " "	Weymouth or Melcombe Regis, 15 Sept.
Clap, Tho. (of Sidmouth, comber)	" " "	Bridport, 12 Sept.
Clegg, Will. (of Colleton, weaver)	Exeter, 14 "	Colleton, Oct.
Collier, Geo.	Dorchester, 10 "	Bridport, 12 Sept.
Cook, Tho. (of Kilmington, Devon, clothier)	" " "	" " "
Cox (Cock), Will. Senr. (of Musbury, Devon, husbandman. Left an estate worth £32 per annum)	" " "	Wareham, 22 Sept.
Dilling, Will.	" " "	Poole, 21 Sept.
Elliot, Tristram	" " "	Weymouth or Melcombe Regis, 15 Sept.
Ellis <i>alias</i> Cossens, Andr.	" " "	Poole, 21 Sept.
Foane, <i>alias</i> Fawne, John	" 5 "	Dorchester, 7 Sept.
Ford, Hon.	" " "	" " "
Fort, Thom.	" 10 "	Weymouth or Melcombe Regis, 15 Sept.
Foweracres, John	Exeter, 14 "	Exeter, 14 Sept.
Game, John	Dorchester, 5 "	Dorchester, 7 Sept.
Glisson, Sam	" 10 "	Sherborne, 15 Sept.
Gray, Ben	" 5 "	Dorchester, 7 Sept.
Hall, Rich.	" 10 "	Sherborne, 15 Sept.
Hardiman, Will.	" " "	Poole, 21 Sept.

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*Executed before the completion of the Lists—continued.*

Name.	Place and Date of Sentence.	Place and Date of Execution stated in newletters.
Hart, William	Dorchester, 10 Sept.	Sherborne, 15 Sept.
Hartley, John	" " "	Weymouth or Melcombe Regis, 15 Sept.
Hawley, Adam	" " "	Wareham, 22 Sept.
Hayes, John	" " "	Lyme, 12 Sept.
Hilliard, Samuel	" 5 "	Dorchester, 7 Sept.
Hoare, Nicho. (of Culliton, tanner)	" 10 "	Poole, 21 Sept.
Hobbs, Tho.	Exeter, 14 "	"Curton," i.e. Crediton, 14 Sept.
Holloway, John (tobacconist of Lime Regis)	Dorchester, 10 "	Wareham, 22 Sept.
Holmes, Abra.	" " "	Lyme, 12 Sept.
Howling (Huling, Hewling), Will.	" " "	Lyme, 12 Sept.
Jackson, Leo.	" " "	" " "
Jenkins, Tho.	" " "	Poole, 21 Sept.
Kidd, John	" " "	Lyme, 12 Sept.
Knight, Hen. (of Chardstock)	Exeter, 14 "	Honiton, 7 Oct.
Knowles, John	" " "	" " "
Lancaster, Will.	Dorchester, 10 "	Weymouth or Melcombe Regis, 15 Sept.
Lark, Sampson (of Combe Raleigh, Gent. Non-Conformist Minister)	" " "	Lyme, 12 Sept.
Lawrence, John	" " "	Sherborne, 15 Sept.
Lee, John (of Buckrel)	" " "	Bridport, 12 Sept.
Leggatt, Edward	" " "	Weymouth or Melcombe Regis, 15 Sept.
Leggatt, John	" " "	Sherborne, 15 Sept.
Levermore, Phil. (of Honiton, tanner)	" 5 "	Dorchester, 7 Sept.
Lisle, Alice	Winchester, 28 Aug.	Beheaded 2 Sept.
Maehell (Matchet) Robt.	Dorchester, 10 Sept.	Lyme, 12 Sept.
Marders, John (Constable of Crookhorn)	" " "	" " "
Martin, Will.	" " "	Poole, 21 Sept.
Oliver, John	Exeter, 14 "	Honiton, 7 Oct.
Parsons, Will. (of Shint, Devon, husbandman)	" " "	Ottery St. Mary, Oct.
Pinney, Robt.	Dorchester, 5 "	Dorchester, 7 Sept.
Potts, Sam.	Exeter, 14 "	Honiton, 7 or 14 Oct.
Puckeridge, Geo.	Dorchester, 10 "	Sherborne, 15 Sept.
Pulling, John	" " "	Poole, 21 Sept.
Quintin, Thomas	Exeter, 14 "	Ottery St. Mary, Oct.
Quintin, Will. (alias Frear, of Shute, Devon, yeoman)	Dorchester, 10 "	Bridport, 12 Sept.
Restorick, Jose (John? of Culleton, Devon, husbandman)	" " "	Poole, 21 Sept.
Robbins, John	" " "	Weymouth or Melcombe Regis, 15 Sept.
Robbins, Sam.	" " "	Wareham, 22 Sept.
Roe (Rowe), Hen.	" " "	Sherborne, 15 Sept.
Ross, John	Exeter, 14 "	Axminster, 14 Oct.
Salter, Rob. (of Upottery, Devon, serge weaver)	Dorchester, 10 "	Poole, 21 Sept.
Sandford, Ben (of Combe Pine, husbandman)	" " "	Bridport, 12 Sept.

# Appendix A.

*Executed before the completion of the Lists—continued.*

Name.	Place and Date of Sentence.	Place and Date of Execution stated in newsletters.
Satchell, Roger (of Coylton, Devon, yeoman, possessed an estate of £20 per annum)	Dorchester, 10 Sept.	Weymouth or Melcombe Regis, 15 Sept.
Savage, John	" " "	Sherborne, 15 Sept.
Seaward, Geo.	" 5 "	Dorchester, 7 Sept.
Skinner, Francis (John of Honiton, cordwainer?)	" 10 "	Sherborne, 15 Sept.
Slade, Robt.	" " "	Weymouth or Melcombe Regis, 15 Sept.
Smith, Geo.	" " "	" " "
Smith, Tho.	" 5 "	Dorchester, 7 Sept.
Speed, Joseph	" " "	" " "
Sprake, John (of Winsham, Somerset, mason)	Exeter, 14 "	Colliton, Oct.
Temple, Ben (Monmouth's surgeon)	Dorchester, 10 "	Lyme, 12 Sept.
Tozer, Andr.	" " "	Poole, 21 Sept.
Tyler, Tho.	" " "	Wareham, 22 Sept.
Waldron, Sam (Thomas?)	" " "	Poole, 21 Sept.
Watts, Hen. (estate was granted to his widow Mary)	" " "	Lyme, 12 Sept.
Welch, Tho. (of Bridport, carrier)	" 5 "	Dorchester, 7 Sept.
Whorwood, Robt.	" 10 "	Sherborne, 15 Sept.
Willmott, George	Dorchester, 10 Sept.	Weymouth or Melcombe Regis, 15 Sept.
Wills, John	" 5 "	Dorchester, 7 Sept.

## SECOND LIST.

*To be Executed.*

### A. Sentenced at Taunton on 19 Sept.

Name.	Place of Execution named in Warrant.	If Executed, (date of Execution.
Adams, Nicho.	Crewkerne	
Allen, Robt.	Somerton	
Annesley, Abra.	Taunton	30 Sept.
Ash, Rich.	Castle Cary	
Ashley, Hugh	Stogersay	
Badd (Badol), Geo.	Keynsham	
Barrett, Osmund (of Culleton, Devon, husbandman)	Evilcheater	
Bartlett, Franc	Minehead	Nov. or Dec.
Basely, John	Dulverton	Nov. or Dec.
Bernard, Tho. (Burnard)	Ilminster	
Blackmore, Tho.	Cutherston	
Bovett, Phi.	Wellington	1 Oct.
Bovett, Rich.	Cutherston	
Bowdon, Rich.	Keynsham	
Burford, Edmd. (of Buckland St. Mary)	Evilcheater (Ilchester)	
Burgess (Burgin), John	Ilminster	
Burnell, Roger	Crewkerne	
Bushell, John (of Whitford, Devon, weaver)	Crewkerne	
Chappell (Chapman), Char.	Keynsham	
Collins, Nicho. Senr.	Ilminster	

# The Bloody Assizes.

*Sentenced at Taunton—continued.*

Name.	Place of Execution named in Warrant.	If Executed, date of Execution.
Combe, Robt.	Wivelscombe	
Condick (Cantick), Geo.	Somerton	
Cooper, Will. (of Bridgewater, joiner)	Taunton	21 Sept.
Cross, Sim.	Chard	
Cross, Math.	Evlochester	
Culverwell, Rich.	Netherstoe	
Davis, Isaiah	Bridgewater	
Davison, Will.	Taunton	30 Sept.
Davy, Will.	Chard	
Davys, Tho.	South Petherton	
Divericks, Barnab	Bernard Devereaux. To be executed at Yeovil (?)	
Dryer, John	Taunton	30 Sept.
Dumett (Dennett?), James	Chard	
Eastbrook, Hen.	"	
Edney, Hen.	Porlock	Nov. or Dec.
England, Jona.	Taunton	30 Sept.
England, Tho.		
Evans, John (of Wilton, yeoman)	Richard. To be executed at Keynsham (?)	
Every, James (of Honiton, cheese- monger)	Crewkerne	
Fawne, Robt.	Ilminster	
Fort, John	Edward Foote. To be executed at Chard (?)	
Foxwell, Fran.	Yeovil	
Fricker (Freaker), John	Taunton	30 Sept.
Gale, James	Porlock	Nov. or Dec.
Gatchill, Will. (of Angersleigh, yeoman)	Taunton	21 Sept.
Gillard, Edmd.	Edward. To be executed at Yeovil (?)	
Gillard, George (of Pitminster, yeoman)		
Gillet, Will.	Somerton	
Glover, <i>alias</i> Tucker, John	To have been executed at Bristol. Died of small- pox (?)	
Godfrey, Will. (of Chilton, husbandman)	Chard	
Guppy, Rog.	Bridgewater	
Halfewell (Halswell), Robt.	Crewkerne	
Halswell, Edw.	Keynsham	
Hamlyn, Sim. (of Pitminster, tailor)	Taunton. Buried at St. Mary Magdalen's, Taunton, 22 Sept.	21 Sept.
Harford (Furford), Cornel.	South Petherton	
Harris, Lewis	Keynsham	
Harris, Rich.	Bridgewater	
Hawkins, Sim.	Samuel. To be executed at Minehead, Nov. or Dec.	
Herring, John	Stogersay	
Hewling, Ben	Taunton. Buried at St. Mary Magdalen's, 1 Oct.	30 Sept.
Hill, Robt.	Crewkerne	
Hilliary, Weston	Ilminster	
Hitchcock, Hum.	Chard	
Hucker, John <sup>1</sup>	Taunton	30 Sept.

<sup>1</sup> Of Taunton. Entertained Monmouth at his house. Was owner of Athelney Farm, Alfred the Great's hiding place.



# Appendix . A.

*Sentenced at Taunton—continued.*

Name.	Place of Execution named in Warrant.	If Executed, date of Execution.
Hurford, Tho.	Yeovil ?	
Hurman, John	Bridgewater	
Hyne (Hinde), Robt.	Castle Cary	
Ingram, Rich.	Bridgewater	
Jeanes, John	Dunster	Nov. or Dec.
Jenkins, Will.	Taunton. Buried at St. Mary Magdalen's, 1 Oct.	30 Sept.
Jervis, John	Chard	
Johnson, Archibald	Milton Port	
Johnson, Will.	Yeovil	
Jones, <i>alias</i> Evans, Robt.	John, executed at Mine-head	Nov. or Dec.
Kellaway, Jos.	Somerton	
Knight, John	Chard	
Langwell, David	Evilcheater	
Lashley, Will.	Crewkerne	
Lissant, Thom.	Somerton	
Lloyd, John	Dulverton	Nov. or Dec.
Lockston, John	Stogummer	
Luckis, Robt.	Ilminster	
Luckwell, Hen.	Dunster	Nov. or Dec.
Lyle (? Lisle), Hen.	Taunton. Buried at St. Mary Magdalen's, 1 Oct.	30 Sept.
Masters, John	Evilcheater	
Mathews, Arth.	Taunton	30 Sept.
Maxwell, James	Milton Port	
Mitchell, Hum.	Netherstoe	
Mogridge, Will.	Bridgewater	
Morren, Pearce	Taunton. Buried at St. James, Taunton, 1 Oct.	30 Sept.
Mortimore, John	Evilcheater	
Newman, Steph.	Ilminster	
Parsons, John	{ One was of Babcary, yeoman, and one was executed at Ilminster, another at South Petherton	
Parsons, John		
Patrum, John	Taunton	30 Sept.
Poirce, Hum.	Langport	
Purra (Perrot), Robt. (Blood's accomplice in The Theft of The Crown)	Taunton	30 Sept.
Pether, Will.	Crewkerne	
Phildrey, John	Keynsham	
Pill, Abra. (of Chilton, husbandman)	Chard	
Pitcher, Geo.	Yeovil	
Pocock, Will.	Somerton	
Powell, Oliv.	Yeovil	
Prance, Rog.	Tuton-upon-Mendip	
Preist, Fran.	Wellington	1 Oct.
Read, Robt.	"	1 Oct.
Rock, Will. ("Kitch" in warrant)	Ilminster	
Rownsell, Andr.	Keynsham	
Ruscombe, Will.	Wivelscombe	
Satchell, Will.	Taunton. Buried at St. James, Taunton, 1 Oct.	30 Sept.

# The Bloody Assizes.

## *Sentenced at Taunton—continued.*

Name.	Place of Execution named in Warrant.	If Executed, date of Execution.
Savage, John	Taunton. Buried at St. Mary Magdalen's. 1 Oct.	30 Sept.
Sellwood, John (William of Chard, clothier?)	Langport	
Sharp John	Taunton	30 Sept.
Spore, John	Crewkerne	
Stark, Hugh	Minehead	Nov. or Dec.
Stephens, Chris.	Somerton	
Stephens, John	Evilcheester	
Stephens, Rich.	Crewkerne	
Stodgell, Nicho.	Bridgewater	
Sully, Will.	Dunster	Nov. or Dec.
Sweet, Rich.	Minehead	Nov. or Dec.
Thomas, Merrick	Netherstoe	
Townsend, Robt.	Evilcheester	
Thatcher, Barnard	Yeovil, "for concealing Bovet"	
Thomas, Howell	Keynsham	
Thompson, Hen.	Dulverton	Nov. or Dec.
Trekey, John (Thomas ? of Taunton, yeoman)	Taunton. Buried at St. James's, 1 Oct.	30 Sept.
Trock, Tho.	Ilminster	
Trott, John	Bridgewater	
Wallrond, John	Evilcheester	
Warren, Edw.	Chard	
Warren, Peter	Minehead	Nov. or Dec.
Watkins, Will.	Tuton-upon-Mendip	
Wellen, Will.	Ilminster	
Whetham, Jam. (of Taunton, maltster)	Taunton. Buried at St. Mary Magdalen's, 28 Oct.	30 Sept.
Williams, Arth.	Stogummer	
Williams, John	Taunton	30 Sept.
Williams, Will.	Chard	
Winter, John	Keynsham	

## SECOND LIST.

### *To be Executed.*

#### *B. Sentenced at Wells, on 23 Sept.*

Name.	Place of Execution named in Warrant.	If Executed date of Execution
Adams, Geo.	Pensford	
Baker, Walter	Bath	18 Nov.
Baumont, Robt.	Frome	
Body, Hen.	Bath	18 Nov.
Bole, Rich. (Boole ? of Ditcheat, Somerset, yeoman)	Bruton	
Bond, Abra. (Bend ?)	Wells	
Bowden, Tho.	Wincanton	
Bryant, Israel (of Glaston, yeoman)	Glastonbury	
Bryant, Jerrard	Bath	18 Nov.
Boyce, David	Wroughton	

# Appendix, A.

*Sentenced at Wells—continued.*

Name.	Place of Execution named • in Warrant.	If Executed, date of Execution.
Bramble, Giles	Shepton Mallet	
Barrell, Tho.	Axbridge	
Butcher, John	To be executed at Bristol.	
Cambridg (Cumbridge), Phil.	Died of smallpox?	
Carter, John	Bath	18 Nov.
Caswell, John	Philipsnorton	
Cheeke, <i>alias</i> Chick, Will.	Pensford	
Chinn, Rich.	Shepton Mallet	
Clarke, Trustram (of Hginton, yeoman)	Frome	
Clement, Will.	Bath	18 Nov.
Clotworthy, Tho.	Wells. (John Coad, who escaped?)	18 Nov.
Coad, Tho. (of Berwick, Somerset)	Bath	18 Nov.
Collins, Tho.	Shepton Mallet	
Combe, John	Philipsnorton	
Cook, Robt.	Pensford	
Cornelius, Roger	Evilcheester	
Cox, Sam.	Shepton Mallet	
Cruise, Will.		
Cruse, Edm. (of North Bradley, Wilts, husbandman)	Wells	
Doleman, Robt.	Wells	
Duston, Tho. (Durstun? of Axbridge, yeoman)	Pensford	
Duston, Will.	Dr. in physic and Non- conformist minister.	
Edmunds, Hum.	Escaped and was re- captured and executed in Jan. Originally to have been executed at Bristol	
Evans, Rich. (of Cotleigh, Devon)	Bruton	
Field, Jam., Senr.	Pensford	
Finnier, Rich.	Bridgewater	
Francis, Robt.	Wrington	
French, Josuah	Shepton Mallet	
Gilham, John, Junr. (John Gilling of Chilton, Husbandman?)	Axbridge	
Gill, John	Evilcheester	
Goodenough, Hugh	Shepton Mallet	
Greaves (Groves), John	Wincanton	
Harvey, Rich.	Philipsnorton	
Hellyer, John (of Ware, Somerset, husbandman)	"	
Heyward, Tho.	Nonconformist minister.	
Hicks, John	Father-in-law of Tutchin. Mrs. Lisle was executed for con- cealing this man.	
Hillary, Tho.	Axbridge	
Holdsworth, John.	Shepton Mallet	
Holland, Hugh (of South Petherton, husbandman)	Wincanton	
Holland, Will. (of South Petherton, husbandman)	"	

# The Bloody Assizes.

*Sentenced at Wells—continued.*

Name.	Place of Execution named in Warrant.	If Executed, date of Execution.
Howell, John (of Road, Somerset, yeoman)	Wincanton	
Humphreys, John (of Marston Br'de- good (Bigott), tailor)	Frome	
Hussey, Geo.	"	
Keare, Edw.		
Key, Alex.	Wrinton	
Knight, Geo.	Pensford	
Lott, Lau.	Frome	
Lott, Tho.	"	
Man, Robt.	"	
Mangell, Will.	Mathews' servant. Pleaded not guilty. Executed at Wells in the afternoon of same day	
Mead, Will.	{ One of these was "William Mead of Bridgewater, Somerset, tailor." One was to be executed at Wells, the other at Glas- tonbury.	
Mead, Will., Glover		
Munday, Tho.	Axbridge	
Oil, <i>alias</i> Vile, Sam.	Frome	
Partridge, Hen.	Philipsnorton	
Paul, Tho.	Frome	
Pavier, Geo. (of Langport, Somerset, blacksmith)	Shepton Mallet	
Peadon (Bradon), Hum.	Bruton	
Peirce, Rich.	{ Rich. Peirce of Chard, cordwainer, was one of these.	
Peirce, Rich.		
Potter, Geo.	Philipsnorton	
Pierse, Tho.	"	
Preston, Bevis	Pensford	
Pye, James		
Richards, John	Philipsnorton	
Russel, Hen.	Pensford	
Sallaway, Arthur	"	
Searr (Starr), John	"	
Sheppard, John (of Compton Dando, husbandman)		
Smith, Fran.	Frome	
Smith, John	Philipsnorton	
Smith, Jose (of Chard, miller)	Shepton Mallet	
Smith, Tho. (of Chard, husbandman)	"	
Somerton, Will.	Evilcheester	
Speake, Char. (Philizer of Devon, Dorset and Somerset)	Ilminster	
Staple, John (of Gregory Stoke, hus- bandman)	Philipsnorton	
Thatcher, Robt. (of Wedmore, chir- urgeon)		
Tippett, Edw.	To have been executed at Bristol. Died of smallpox?	
Trip, Jacob	Isaac. To be executed at Axbridge?	

# Appendix A.

## *Sentenced at Wells—continued.*

Name.	Place and Date of Sentence.	If Executed, date of Execution.
Tucker, John	Wincanton	
Tinckwell, John	To have been executed at Bristol. Died of smallpox?	
Usher, Phi.	Frome	
Warr, Tho.		
Wine, Robt.	Pensford	

### *Totals.*

Executed,	-	-	-	87
To be executed,	-	-	-	233
Grand Total,				<u>320</u>

## THIRD LIST.

### *Rebels Transported.*

Sir William Stapleton was Governor of the Leeward Islands  
 Jerome Nipho (or Nepho) was the Queen's secretary.  
 Sir William Booth was a merchant dealing with Barbados.  
 Capt. John Price owned 40,000 acres of land in Carolina.  
 Sir Christopher Musgrave had business transactions in Jamaica  
 Sir William Howard was a brother or agent for Sir Philip, Governor of Jamaica.  
 The Queen. The destination of the 98 convicts allotted to her nowhere is stated.  
 George Penn (falsely identified by Macaulay with William Penn) and Charles White acted for Nipho (or Nepho).  
 At the Privy Council, on 9th January, 1690, William III. directed a pardon under the Great Seal to be granted to over 800 transported rebels.

Name.	Place of Sentence.	To whom granted.	Remarks.
Abbot, Edw.	Wells	Price	
Adams, Edw.	Dorchester	Booth	
Adams, Jacob	Wells	Stapleton	
Adams, John (of Lopen, Somerset, yeoman)	Dorchester	Booth	
Adams, John	Taunton	The Queen	
Adams, Tho.	Taunton	Musgrave	
Allambridge, John	Dorchester	Booth	
Allen, Geo.	Wells	Howard	
Allen, John	Dorchester	Booth	
Allen, Rich.	Taunton	Booth	
Allen, Tho.	Dorchester	Booth	
Allens (?), Rich.	Dorchester	Booth	
Allwood, Richard	Wells	Stapleton	
Alston, John	Dorchester	Booth	
Andrewes, John	Taunton	The Queen	
Arnold, John (William of Glas-ton, labourer?)	Wells	Price	
Ashford, Ambr.	Dorchester	Booth	

# The Bloody Assizes.

## *Rebels Transported—continued.*

Name.	Place of Sentence.	To whom granted.	Remarks.
Atkins, Jeremi (of husbandman)	Taunton	Booth	Escaped from Barbados with Pitman
Atwood, John	Wells	Howard	
Austin, Thom.	Taunton	The Queen	
Avoake, John	Taunton	Booth	
Aymes, James	Wells	Howard	
Babington, Randall	Taunton	?The Queen	Unjustly convicted. See Cal. S.P. America, etc., 1685-88, p. 148.
Bagwell, Fran.	Wells	Stapleton	
Bagwell, John	Dorchester	Musgrave	
Bagwell, Peter	Dorchester	Nipho	Escaped from Barbados with Pitman
Baker, Char.	Wells	Stapleton	
Baker, James	Taunton	Booth	
Baker, John	Dorchester	Nipho	
Baker, John	Wells	Howard	
Baker, John } Twice	Taunton	The Queen	
Baker, John }	Taunton	The Queen	
Balstor, Israel	Wells	Howard	
Bambury, Tho.	Taunton	The Queen	
Banton, Hugh	Wells	Howard	
Barge, Bar.	Dorchester	Nipho	
Barge, Robert	Taunton	Musgrave	
Barges, John	Taunton	Booth	
Barnard, Will.	Taunton	Booth	
Bartlett, John	Taunton	Booth	
Bartlett, John	Wells	Stapleton	
Batt, Robt.	Wells	Nipho	
Bayly, Will.	Taunton	Musgrave	
Beale, Robt.	Wells	Howard	
Beaton, Nath.	Wells	Nipho	
Beaton, Robt.	Wells	Howard	
Bellamy, Ed.	Taunton	The Queen	
Bennett, Char.	Taunton	The Queen	
Bennett, John	Wells	Howard	Escaped in England
Bennett, John	Taunton	The Queen	
Bennett, Tho.	Dorchester	Booth	
Best, James	Wells	Howard	
Best, Robt.	Wells	Howard	
Best, Will.	Wells	Howard	
Bickham, Rich.	Taunton	Booth	
Bickley, James	Wells	Stapleton	
Biggs, Will.	Wells	Nipho	
Bird, Peter	Exeter	Nipho	
Bishop, John	Wells	Price	
Blackmore, Sam.	Wells	Stapleton	
Blew, Wal.	Taunton	Musgrave	
Body, Tho.	Wells	Nipho	Omitted in the warrant for execution. See List 5
Bond, Sam.	Taunton	The Queen	
Boone, Sam.	Taunton	Booth	
Bovett, Edw.	Exeter	Nipho	
Bovett, John	Dorchester	Nipho	
Bovett, Tho.	Dorchester	Booth	
Boyte, Andr.	Taunton	Musgrave	
Bradbeard, Robt.	Taunton	Musgrave	
Bragg, John	Taunton	Booth	
Bramble, James	Wells	Price	
Bramble, John	Wells	Price	

# Appendix A.

## Rebels Transported—continued.

Name.	Place of Sentence.	To whom granted.	Remarks.
Bray, John	Taunton	Booth	
Bray, Tho. (of North Petherton, yeoman)	Taunton	Musgrave	
Briant, <i>alias</i> Hooper, Roger	Dorchester	Nipho	
Brice, John	Wells	Nipho	
Bright, John	Wells	Stapleton	
Brigwood, Tho.	Wells	Stapleton	
Brissett, John	Taunton	Booth	
Broadbeare, Will.	Wells	Price	
Brock, Tho.	Taunton	Booth	
Brookes, Robt.	Taunton	Musgrave	
Broughton, Ch.	Dorchester	Nipho	
Broughton, James	Wells	Stapleton	
Browne, John	Wells	Stapleton	
Browne, John } Twice	Wells	Stapleton	
Browne, John	Dorchester	Booth	
Browne, Jonas	Taunton	The Queen	
Browne, Tho.	Wells	Stapleton	
Browne, Will. (of Knowle, Somerset, carpenter)	Dorchester	Booth	
Bryant, Bernard	Dorchester	Booth	
Bryer, John	Taunton	The Queen	
Budge, John	Taunton	Booth	
Budee, John	Dorchester	Booth	
Bull, Will.	Taunton	Musgrave	
Bullman, James	Wells	Howard	
Burridge, Char.	Taunton	The Queen	
Burridge, Robt.	Dorchester	Booth	
Burridge, Robt.	Wells	Howard	
Burroughs, Will.	Taunton	Booth	
Bush, Will.	Wells	Stapleton	
Busson, John	Taunton	Booth	
Butcher, Geo.	Wells	Price	
Butcher, John	Wells	Howard	Escaped in England
Buttfield, John	Taunton	Musgrave	
Cable, Ben.	Wells	Stapleton	
Camden, Will. (of Netherbury, Dorset, clothier)	Dorchester	Musgrave	
Candy, Chris.	Wells	Howard	Escaped in England
Cane, Fran.	Taunton	Booth	
Carden, Tho.	Wells	Howard	
Carrow, Geo.	Taunton	Booth	
Carter, Fran.	Wells	Howard	
Carter, Robt. (of Bradway, Somerset, husbandman)	Wells	Price	
Caswell, Law.	Wells	Nipho	
Cantlebury, John	Taunton	Booth	
Chamberlyn, John	Taunton	The Queen	
Chambers, Hen.	Taunton	The Queen	
Chaplyn, Rich.	Wells	Stapleton	
Chappell, John	Taunton	Booth	{ Omitted in the Warrant for execution at Taunton } Escaped in England
Charming (Channing), Roger	Wells	Howard	
Charming (Channing), Tho.	Wells	Howard	
Chedsey, Edw.	Wells	Price	
Cheeks, Phill.	Taunton	The Queen	
Chilcott, John	Taunton	Booth	

# The Bloody Assizes.

## *Rebels Transported—continued.*

Name.	Place of Sentence.	To whom granted.	Remarks.
Chilcott, Will.	Wells	Price	
Chinn, Sim.	Wells	Howard	
Churchhouse, Tho.	Wells	Stapleton	
Chynn, Will.	Wells	Howard	
Clark, John	Wells	Stapleton	
Clark, Robt.	Wells	Stapleton	
Clark, Robt. (Thomas, of Thorne Falcon, wool-comber?)	Dorchester	Nipho	
Clark, Sam	Wells	Stapleton	
Clark, Will.	Dorchester	Booth	
Clarke, Robt.	Wells	Howard	
Clarke, Will.	Dorchester	Nipho	
Classey, John	Wells	Stapleton	} Twice
Classey, John	Wells	Stapleton	
Clift, James	Taunton	The Queen	
Cloade, John	Taunton	Booth	
Clotworthy, Will.	Wells	Howard	
Cockrane, John	Taunton	The Queen	
Cole, Roger	Wells	Howard	
Coleburne, John	Wells	Stapleton	
Coles, Will.	Wells	Stapleton	
Colesman, John	Wells	Stapleton	
Collier, Will.	Wells	Price	
Collins, Eman.	Dorchester	Booth	
Collins, Hen.	Wells	Stapleton	
Collins, John	Wells	Stapleton	
Collins, John	Wells	Nipho	
Collins, Nicho., Junr.	Taunton	The Queen	
Collins, Sam.	Taunton	The Queen	
Combe, James	Taunton	Musgrave	
Combe, John	Wells	Stapleton	
Combe, Will.	Taunton	Booth	
Comings, Nicho.	Wells	Stapleton	
Cooke, Hen.	Wells	Howard	Escaped in England
Cooke, John	Wells	Nipho	} Escaped from Barbados with Pitman
Cooke, John	Wells	Nipho	
Cooke, Nath.	Taunton	The Queen	
Cooper, Chris.	Exeter	Nipho	
Cordelon, Peter	Wells	Nipho	
Cornelius, Tho.	Dorchester	Booth	
Connett, John	Dorchester	Nipho	
Cossens, Will.	Dorchester	Booth	
Counsell, Edw. (of Weare, husbandman)	Taunton	Booth	
Court, Robt.	Wells	Stapleton	
Coward, Robt.	Taunton	Booth	
Cowes, Jose	Wells	Stapleton	
Cox, John	Wells	Stapleton	
Cox, Phil. (of Collaton, husbandman, seized of an estate of £30 per annum)	Dorchester	Nipho	Died upon the seas
Craft, Will.	Taunton	Musgrave	
Craft, Math. Junr.	Taunton	The Queen	
Crane, Giles	Taunton	Musgrave	
Crane, John	Taunton	The Queen	
Cross, John	Taunton	The Queen	
Cross, Jonas	Taunton	Booth	



# Appendix A.

## *Rebels Transported—continued.*

Name.	Place of Sentence.	To whom granted.	Remarks.
Cross, Tho.	Taunton	Musgrave	
Cross, Will.	Taunton	The Queen	
Crow (or Crew), Ben (of Combe-pyne, husbandman)	Dorchester	Booth	
Crowder, John	Wells	Howard	
Culverwell, John	Taunton	The Queen	
Curtis, Tho.	Taunton	Musgrave	
Cutler, Tho.	Taunton	Musgrave	
Daniell, Rich.	Dorchester	Nipho	
Daniell, Tho.	Wells	Stapleton	
Davidge, Nicho.	Wells	Howard	
Davison, Sam. (of Sutton, miller)	Wells	Nipho	
Davy, Bartho.	Taunton	Musgrave	
Davyes, Elisha	Taunton	Musgrave	
Davyes*Hum.	Wells	Howard	
Daw, Will.	Taunton	Booth	
Deane, Will.	Dorchester	Nipho	
Debnam, Tho.	Taunton	Musgrave	
Denham, Rich.	Wells	Stapleton	
Denham, Sam.	Wells	Howard	
Dennick, Nath.	Wells	Howard	
Denning, John	Wells	Stapleton	
Dennis, Tho.	Taunton	Booth	
Dew, James	Wells	Stapleton	
Dew, Will.	Wells	Stapleton	
Diamond, Jas.	Dorchester	Booth	
Dodds, John	Wells	Nipho	
Dolbeare, Sam. (Tho. of Honiton, shoemaker ?)	Dorchester	Nipho	
Doleman, Tho.	Wells	Price	
Dolling, Tho.	Dorchester	Nipho	
Downe, John	Dorchester	Booth	
Drake, Rich.	Taunton	Musgrave	
Drayton, Peter	Wells	Stapleton	
Drew, Jona.	Wells	Howard	
Drew, Will.	Taunton	Booth	
Dryer, Tobi.	Taunton	Musgrave	
Drower, Robert (? Zachary of Culliton, joiner)	Exeter	Howard	{ Convicted at Exeter, and see List 5
Dunnett, John	Wells	Price	
Dunning, Fran.	Wells	Stapleton	
Durden, Peter	Wells	Howard	
Dyer, Isaac	Taunton	The Queen	
Dyer, Rich.	Wells	Stapleton	
Dyer, Simon	Wells	Stapleton	
Dyke, Rich.	Wells	Nipho	
Earle, Rob.	Taunton	The Queen	
Eastment, John	Dorchester	Nipho	
Easton, Rich.	Wells	Stapleton	
Easton, Robt.	Taunton	Booth	
Ebdon, Geo.	Dorchester	Nipho	
Edgar, Rich.	Taunton	Booth	
Edghill, Rich.	Wells	Stapleton	
Edward, Will.	Taunton	Musgrave	
Edwards, John (of Trull, Somerset, yeoman)	Taunton	Booth	
Edwards, John (of Axminster, comber)	Dorchester	Booth	{ Sent to York River, Virginia

# The Bloody 'Assizes.

*Rebels Transported—continued.*

Name.	Place of Sentence.	To whom granted.	Remarks.
Eglin, Tho.	Wells	Price	
Elford, James	Wells	Stapleton	
Elford, James	Wells	Howard	
Elliot, Math.	Dorchester	Musgrave	
Elliott, Cornel.	Wells	Stapleton	
Elworthy, Sam.	Wells	Howard	
England, Allen	Dorchester	Nipho	
England, John	Taunton	The Queen	
England, Phi.	Wells	Stapleton	
England, Tho.	Dorchester	Musgrave	
England, Will.	Wells	Stapleton	
Ervin, John	Wells	Stapleton	
Everard, Arth.	Wells	Howard	
Eves, Edw.	Taunton	Musgrave	
Eyres, Will.	Wells	Howard	Escaped in England
Facy, John	Dorchester	Nipho	
Farmer, John	Taunton	Booth	
Farmer, Sam. } Twice	Wells	Stapleton	
Farmer, Sam. }	Wells	Stapleton	
Fathers, John	Wells	Howard	
Fawne, Robt.	Dorchester	Nipho	
Fead, Will.	Dorchester	Booth	
Feare, Will.	Wells	Stapleton	
Feild, James, Junr. (of Long Sutton, blacksmith)	Wells	Howard	} Escaped in England
Feild, John	Wells	Howard	
Ferris, Tho.	Wells	Stapleton	
Fisher, John	Dorchester	Booth	
Follett, John	Exeter	Nipho	
Foot, John	Wells	Nipho	
Forcey, Tho.	Dorchester	Nipho	
Ford, Arthur	Wells	Stapleton	
Ford, Arthur	Wells	Stapleton	
Ford, Edw.	Wells	Stapleton	
Foweracres, Rich.	Wells	Stapleton	
Fowler, Jam.	Dorchester	Booth	
Fowler, John	Wells	Stapleton	
Fowler, John	Wells	Stapleton	
Fowler, John, Junr.	Taunton	Musgrave	
Fowler, John, Senr. (of Taunton, sergeman)	Taunton	Musgrave	
Franklyn, Tho. (of Tuppitt, Devon, husbandman)	Dorchester	Nipho	
French, Roger	Dorchester	Booth	
Freston, Walter	Wells	Stapleton	
Furber, John	Taunton	Musgrave	
Furse, <i>alias</i> Voss, Morris	Taunton	Booth	
Gage, Jos.	Dorchester	Nipho	
Gale, John	Taunton	Booth	
Gales, Jose. (of Bridport, bodice-maker)	Wells	Stapleton	
Gallop, Jam.	Taunton	Musgrave	
Gamage, Step.	Dorchester	Booth	
Gamlin, Tho.	Wells	Stapleton	
Gamling, Fran.	Wells	Stapleton	
Gammidge, Tho.	Taunton	Booth	
Gardner, John	Dorchester	Musgrave	
Gardner, John	Taunton	Musgrave	

# Appendix A.

## *Rebels Transported—continued.*

Name.	Place of Sentence.	To whom granted.	Remarks.
Gay, John	Dorchester	Booth	
Gibbons, Hen.	Taunton	Booth	
Gibbs, John	Taunton	The Queen	
Gibbs, John	Taunton	Musgrave	
Gilbert, Edw.	Wells	Howard	
Giles, Will.	Dorchester	Nipho	
Gill, Hugh	Taunton	Musgrave	
Gill, John, Junr.	Wells	Nipho	
Gill, Nich.	Wells	Howard	
Gillham, Josiah	Wells	Price	
Glanville, James	Taunton	Musgrave	
Godden, Abra.	Wells	Nipho	
Godsall, John	Taunton	The Queen	
Godson, Tho.	Wells	Howard	
Goodgroom, Peter	Wells	Stapleton	
Goodland, Will.	Taunton	Musgrave	
Goodman, Edw.	Wells	Stapleton	
Goodman, Math.	Wells	Price	
Gosse, Nehemi.	Wells	Stapleton	
Gould, Enoch	Taunton	The Queen	
Gould, John	Wells	Nipho	
Gould, Tho.	Taunton	The Queen	
Gould, Will.	Taunton	The Queen	
Grace, John	Taunton	Musgrave	
Gray, Chris.	Wells	Howard	
Gray, Geo.	Taunton	Booth	
Gregory, Tho.	Dorchester	Booth	
Greene, Richard	Dorchester	Nipho	
Greeneland, Will.	Wells	Howard	
Greeneway, Will.	Dorchester	Nipho	
Gulhampton, Tho.	Taunton	Booth	
Gappy, Will.	Dorchester	Nipho	
Guppy, Justinian	Taunton	Booth	
Guppy, Will.	Wells	Stapleton	
Hacker, John	Taunton	Musgrave	John Coad substituted himself for this man
Haiming, John	Wells	Howard	
Hale, Will.	Taunton	Booth	
Hales, Fran.	Wells	Stapleton	
Halfeyard, Geo.	Wells	Stapleton	
Hallett, Geo.	Wells	Howard	
Hallett, Joseph (of Marshwood, husbandman)	Dorchester	Booth	
Hallet, Tho.	Dorchester	Booth	
Halman (or Holman), Elias	Exeter	Howard	Convicted at Exeter
Halsey, Edw.	Wells	Price	
Hamett, Hen.	Taunton	Musgrave	
Hannam, Robt.	Wells	Stapleton	
Harcombe, John	Wells	Nipho	
Hardiman, John	Dorchester	Booth	
Harding, Geo.	Wells	Howard	
Harley, John	Taunton	The Queen	
Harman, James	Wells	Stapleton	
Harris, Edw.	Wells	Stapleton	
Harris, John	Taunton	Booth	
Harris, Will.	Wells	Howard	
Hart, John	Wells	Howard	
Hart, Jose	Taunton	Musgrave	

# The Bloody Assizes.

*Rebels Transported—continued.*

Name.	Place of Sentence.	To whom granted.	Remarks.
Harvey, Will. (of Mowbray, Devon, weaver)	Taunton	Booth	
Harwood, John	Wells	Howard	
Hawker, Jose	Wells	Howard	Escaped in England
Hawker, Tim.	Taunton	Booth	
Hayes, Will.	Taunton	Musgrave	
Heale, James	Wells	Howard	
Heathfield, John (of Collaton, cordwainer)	Dorchester	Nipho	
Hellyer, Robt.	Dorchester	Booth	
Helps, John	Wells	Howard	
Hendy, John	Taunton	Musgrave	
Hensley, John	Taunton	Musgrave	
Hensley, Sam.	Taunton	Musgrave	
Henson, John	Wells	Stapleton	
Herring, Tho.	Wells	Stapleton	
Heyn, Will.	Taunton	Booth	
Heyne, John	Dorchester	Nipho	
Heynes, Will.	Dorchester	Nipho	
Heyward, Robt.	Wells	Howard	
Higdon, Will.	Wells	Stapleton	
Higwell, Moses	Wells	Stapleton	
Hill, John	Wells	Price	
Hill, Tho.	Wells	Stapleton	
Hichcock, John	Dorchester	Nipho	
Hoare, John	Taunton	Musgrave	
Hoare, Rich. (of Hurton St. George, husbandman)	Dorchester	Nipho	
Hobbs, Oliver	Dorchester	Nipho	
Hobbs, Roger	Dorchester	Booth	
Hoblyn, Chris.	Taunton	The Queen	
Hocsmith, Robert	Taunton	Musgrave	
Hodg, Hum.	Wells	Stapleton	
Hody, Edw.	Wells	Price	
Holcombe, Andr.	Wells	Nipho	
Holloway, John	Wells	Howard	
Holman, James	Taunton	Booth	
Holmes, John	Wells	Stapleton	
Hooper, Hen.	Taunton	Musgrave	
Hooper, John	Taunton	Musgrave	
Hooper, John	Wells	Nipho	} Twice
Hooper, John	Wells	Nipho	
Hooper, Rich.	Wells	Howard	Escaped at Sherborne
Hooper, Tho.	Wells	Stapleton	
Hooper, Will.	Taunton	Musgrave	
Hore, Tho.	Dorchester	Booth	
Howard, Andr.	Wells	Stapleton	
Howard, Joseas	Wells	Stapleton	
Howell, Tho.	Taunton	Musgrave	
Howells, Rich.	Wells	Stapleton	
Hull, John	Wells	Stapleton	
Humphreys, Tho.	Wells	Stapleton	
Hunt, Abr.	Exeter	Nipho	
Hunt, Hen.	Wells	Howard	
Hunt, Job.	Taunton	The Queen	
Hurd, Edmd.	Wells	Howard	
Hurd, James	Wells	Howard	
Hurd, Tho.	Wells	Howard	Escaped at Sherborne

## Appendix A.

### *Rebels Transported—continued.*

Name.	Place of Sentence.	To whom granted.	Remarks.
Hurle, John	Wells	Howard	
Hussey, John	Wells	Howard	
Hussey, Law.	Taunton	Booth	
Hutchins, John	Dorchester	Booth	
Hutchins, John	Dorchester	Booth	
Hutchins, Math.	Dorchester	Booth	
Hutchins, Tho. (of Merriott, husbandman)	Wells	Stapleton	
Hutchins, Will.	Taunton	Booth	
Jackson, Will.	Wells	Stapleton	
Jacob, Rich.	Wells	Stapleton	
James, <i>alias</i> Jeanes, John	Dorchester	Musgrave	
Jenning, Robt.	Wells	Howard	
Jeoffryes, Step.	Taunton	The Queen	
Jerman, James	Wells	Stapleton	
Jermin, Jose.	Wells	Stapleton	
Jewell, Chri.	Dorchester	Nipho	
Johnson, John	Wells	Nipho	
Johnson, John	Dorchester	Booth	
Johnson, Will.	Wells	Stapleton	
Joliff, John	Wells	Nipho	
Jones, Charles	Wells	Stapleton	
Jones, John	Wells	Howard	Escaped in England
Jones, John	Wells	Stapleton	
Justin, Hum.	Taunton	The Queen	
Keech, Rich.	Dorchester	Booth	
Keell, Geo. (of Chilton, Somerset, husbandman)	Taunton	Booth	
Keeping, Phi.	Wells	Stapleton	
Kelford, Nicho.	Wells	Howard	
Kempe, Edw.	Wells	Howard	
Kemplin, John	Exeter	Nipho	
Kent, Edw.	Taunton	The Queen	
Kent, Peter	Dorchester	Nipho	
Key, John	Wells	Price	
Key, Will.	Wells	Stapleton	
King, Jacob	Taunton	Musgrave	
King, Rich.	Taunton	The Queen	
Kingston, Isaac	Taunton	Musgrave	
Kinimore, John	Taunton	Musgrave	
Kirle, John	Taunton	Booth	
Knight, Christ.	Taunton	The Queen	
Knight, John	Taunton	The Queen	
Knight, Sam.	Wells	Stapleton	
Lacey, Joseph	Taunton	Musgrave	
Lacey, Phi.	Wells	Howard	
Lacy, Will.	Wells	Howard	
Lane, Will.	Wells	Howard	
Lang, Rich.	Taunton	Musgrave	
Langbridge, Fran.	Dorchester	Booth	
Langford, John	Wells	Stapleton	
Larkham, John	Wells	Stapleton	
Lawrence, John	Wells	Stapleton	
Lawrence, John	Wells	Howard	
Lawrence, Sam.	Dorchester	Booth	
Lawrence, Tho.	Wells	Howard	
Laver, John	Wells	Howard	
Laver, Tho.	Wells	Howard	

# The Bloody Assizes.

## Rebels Transported—continued.

Name.	Place of Sentence.	To whom granted.	Remarks.
Leaker, John	Taunton	Booth	
Lease, John ( <i>alias</i> Gamlin)	Wells	Howard	
Lease, Rob.	Taunton	Booth	
Lee, Geo.	Taunton	Musgrave	
Leigh, Will.	Taunton	The Queen	
Leversedge, Allegen, or Allegin	Taunton	Howard	{ Omitted in the warrant for execution at Taunton. See List 5
Lewis, John	Wells	Stapleton	
Lock, John	Dorchester	Musgrave	
Lock, John	Wells	Stapleton	
Lock, Will.	Wells	Stapleton	
Lookbears, Elias	Taunton	The Queen	
Lockyer, Tho. (of Stoke St. Gregory, husbandman)	Wells	Price	
Long, John	Dorchester	Booth	
Loveridge, Will.	Dorchester	Booth	
Loveridge, Ber. (of Uplyme, chandler)	Taunton	The Queen	
Loveridge, John	Dorchester	Booth	
Lowman, Bernar.	Dorchester	Nipho	
Lucas, Cha.	Taunton	Booth	
Lugg, Edw.	Taunton	Musgrave	
Lumbard, Robt.	Dorchester	Booth	
Lush, Arthur	Dorchester	Booth	
Lush, John	Wells	Howard	
Lush, Will.	Dorchester	Musgrave	
Luther, Edw.	Dorchester	Booth	
Lyde, Edw.	Taunton	Booth	
Lyde (Lloyd), John	Taunton	Musgrave	To York River, Virginia
Lyde, Silves.	Taunton	The Queen	
Lyne, Rich.	Wells	Howard	
Lyneing, Will.	Wells	Howard	Escaped in England
Madders, John	Dorchester	Booth	
Maey, George	Dorchester	Booth	
Manning, John	Dorchester	Booth	
March, Edw.	Dorchester	Nipho	
Marchant, Eman.	Taunton	The Queen	
Markes, Tho.	Taunton	Musgrave	
Marks, John	Dorchester	Booth	
Marshall, Tho.	Dorchester	Booth	
Marthers, Will. (of Culliton, Devon, carpenter)	Dorchester	Nipho	
Marwood, John	Taunton	The Queen	
Mason, Char.	Wells	Howard	Escaped in England
Masters, Chris.	Wells	Howard	
Masters, Rich.	Taunton	Musgrave	
Mathews, Tho.	Taunton	Booth	
Maundry, Hum.	Wells	Howard	Escaped in England
Maynard, James	Taunton	The Queen	
Mead, Robt.	Taunton	Musgrave	
Mead, Tho.	Taunton	The Queen	
Mead, Will.	Taunton	Booth	
Melton, Hum.	Dorchester	Booth	
Merchant, Will.	Taunton	The Queen	
Merriok, Edw.	Wells	Nipho	{ Omitted in the warrant for execution at Wells. See List 5
Merriok, Will.	Wells	Howard	
Metyard, Job	Taunton	Musgrave	
Meyor, Hen.	Taunton	Booth	
Middleton, Ralph	Wells	Howard	

# Appendix A.

## Rebels Transported—continued.

Name.	Place of Sentence.	To whom granted.	Remarks.
Middleton, Tho.	Taunton	Booth	
Mihill, Geo.	Taunton	Booth	
Miller, John	Taunton	The Queen	
Miller, Rich. (Millward)	Wells	Howard	Escaped in England
Millard, Robt.	Wells	Howard	
Mills, Hen.	Wells	Howard	
Mills, Tho.	Wells	Howard	
Mitchell, Edw.	Wells	Howard	
Mitchell, John	Dorchester	Booth	
Mitchell, John	Taunton	Booth	
Mitchell, Rob.	Taunton	Booth	
Mitchell, Tho.	Wells	Howard	
Mogridge, John	Taunton	The Queen	
Mogridge, John	Dorchester	Nipho	
Moody, James	Wells	Howard	Escaped in England
Moore, James	Wells	Howard	
Moore, Moses	Wells	Price	
Moore, Tho.	Taunton	The Queen	
Morley, John	Wells	Howard	
Morley, Shadreck	Wells	Howard	
Morse, John	Taunton	The Queen	
Morse, Paul	Wells	Stapleton	
Mortimore, Roger	Wells	Howard	
Morton, Edw.	Dorchester	Booth	
Mountstephen, Sam.	Taunton	The Queen	
Mudford, <i>alias</i> Hanford, Robt.	Wells	Price	
Mullens, Geo.	Taunton	Booth	
Mullens, Jose.	Wells	Howard	
Mullens, Robt.	Dorchester	Nipho	
Musgrave, Nath.	Taunton	Musgrave	
Muttlebury, John	Wells	Howard	
Nahriok, Andr.	Taunton	Musgrave	
Nash, <i>alias</i> Lissant, Rich.	Wells	Nipho	
Nashion, Tho.	Wells	Price	
Neads, John	Taunton	The Queen	
Noone, Hen.	Wells	Price	
Norman, Will.	Taunton	Musgrave	
Norton, Robt.	Wells	Howard	
Norton, Tho.	Wells	Howard	
Norvill, James	Wells	Howard	
Nowell, Geo.	Taunton	Booth	
Nowis, Percival	Taunton	The Queen	
Oram, John	Wells	Howard	
Orchard, Tho.	Wells	Howard	
Osborne, Moses (William of Whittington, yeoman?)	Taunton	The Queen	
Page, Will.	Taunton	Musgrave	
Palmer, Andr.	Wells	Howard	
Palmer, John	Wells	Howard	{ "James Palmer" who escaped }
Palmer, John	Wells	Howard	
Palmer, Nicho.	Dorchester	Booth	
Parker, Bald.	Wells	Howard	
Parker, Dan.	Dorchester	Nipho	
Parker, James	Wells	Howard	
Parker, Rich.	Dorchester	Nipho	
Parker, Will.	Taunton	Booth	
Parsons, John	Taunton	The Queen	

# The Bloody Assizes.

*Rebels Transported—continued.*

Name.	Place of Sentence.	To whom granted.	Remarks.
Parsons, John	Wells	Price	Twice
Parsons, John	Wells	Price	
Parsons, John	Wells	Price	
Parsons, Tho.	Dorchester	Booth	
Partridge, John	Wells	Price	
Patten, James (of South Pether- ton, husbandman)	Taunton	The Queen	
Paul (Payl), Jo.	Dorchester	Booth	
Paul, Rich.	Dorchester	Booth	
Paul, Robt.	Taunton	Booth	
Paul, Sam.	Dorchester	Musgrave	
Payne, James	Wells	Howard	Escaped in England
Pearce, Robt.	Taunton	The Queen	
Peirce, James (Thomas of North Bradley, Wilts, husbandman ?)	Wells	Howard	Escaped in England
Peirce, Robt.	Wells	Nipho	
Peircey, John	Wells	Howard	
Peircey, Rich.	Taunton	The Queen	
Periam, Bernard	Taunton	Musgrave	
Perkins, Rich.	Taunton	Musgrave	
Pester, Tho.	Dorchester	Nipho	
Phelps, Will.	Taunton	The Queen	
Philipps, Silus	Wells	Howard	Escaped in England
Philips, Wal.	Taunton	Musgrave	
Phippen, Will.	Taunton	Booth	
Pinney, Azariah	Dorchester	Nipho	
Pinney, John	Dorchester	Booth	
Pinson, Sam.	Dorchester	Nipho	
Pits, Will.	Taunton	The Queen	
Pitt, Tho.	Taunton	The Queen	
Pittard, Tho.	Wells	Howard	Escaped from Barbados, and published a Narra- tive in 1689
Pittman, Hen.	Wells	Nipho	
Pitts, John	Dorchester	Booth	
Plomer, Fran.	Wells	Howard	
Plumley, Geo.	Dorchester	Booth	
Pollard, Abr.	Taunton	Booth	
Pomeroy, Dan.	Taunton	Booth	
Pomeroy, Jam.	Dorchester	Booth	
Pomfrett, Thos.	Taunton	The Queen	
Poole, Jeremi	Taunton	The Queen	
Poole, John	Taunton	Booth	
Poole, Sil.	Taunton	The Queen	
Poole, Sim.	Taunton	Booth	
Pope, Hum.	Taunton	Booth	
Pope, John	Wells	Howard	
Pope, John	Taunton	Musgrave	
Pople, Char.	Wells	Howard	
Porter, Luke	Taunton	The Queen	
Porter, Math.	Dorchester	Booth	
Portwell, John	Wells	Howard	
Pottle, Math.	Taunton	Musgrave	
Powell, Jacob	Taunton	The Queen	
Powell, Mich.	Taunton	Booth	
Powell, Will.	Wells	Price	
Preist, Hen.	Taunton	The Queen	
Preist, Law.	Taunton	The Queen	
Preist, Tho.	Taunton	The Queen	



# Appendix A.

## Rebels Transported—continued.

Name.	Place of Sentence.	To whom granted.	Remarks.
Preist, Will.	Wells	Howard	
Prew, John	Dorchester	Nipho	
Price, Jane (? James)	Wells	Nipho	See List 5, "Price James"
Prowse, Will.	Wells	Price	
Prowse, Will.	Wells	Howard	
Pryor, Isaac	Wells	Howard	
Pryor, John	Dorchester	Booth	
Pryor, Nath.	Wells	Howard	Escaped in England
Pucket, Fran.	Dorchester	Musgrave	
Puttman, Will.	Wells	Nipho	
Pyne, Rich.	Dorchester	Nipho	
Quant, Hen.	Taunton	Booth	
Quick, Hen. (of Upottery, Devon, husbandman)	Wells	Stapleton	
Quick, John	Wells	Price	
Quick, Thomas	Dorchester	Nipho	
Radford, Corne.	Taunton	The Queen	
Randall, Barth.	Taunton	Booth	
Randall, Hen.	Taunton	The Queen	
Rapson, Andr.	Dorchester	Booth	
Rawbane, Edw.	Wells	Price	
Read, Osm.	Taunton	Booth	
Read, Will. (of North Bradley, Wilts, husbandman)	Wells	Howard	
Reason, John	Dorchester	Booth	
Redbeard, Will.	Wells	Price	
Reeves, John	Wells	Nipho	
Reeves, Robt.	Wells	Howard	
Reynolds, John	Wells	Howard	Escaped in England
Richards, Chris. (John of Marston Bigott, husbandman?)	Wells	Howard	
Richards, Robt.	Taunton	The Queen	
Robins, John	Taunton	The Queen	
Robins, Jose.	Wells	Howard	
Robertson, Geo.	Taunton	Musgrave	
Robinson, Alex.	Wells	Howard	
Rodbeard, Tho.	Wells	Howard	
Rodway, Steph.	Taunton	Booth	
Roger, John	Taunton	Booth	
Rogers, John	Taunton	The Queen	
Rooks, Hen.	Wells	Howard	
Roper, Hen.	Wells	Howard	
Rossiter, John (of Bishops Sutton, miller)	Taunton	Howard	{ Omitted in the warrant for execution at Taunton. See List 5
Rotherton, John	Wells	Price	
Row, Peter	Dorchester	Booth	
Row, Will.	Taunton	Musgrave	
Rowe, Chris.	Taunton	The Queen	
Roweall, Geo.	Taunton	The Queen	
Rowsewell, Tho.	Taunton	The Queen	
Ruddle, Sam.	Wells	Price	
Russell, Geo.	Wells	Howard	
Rust, Argentine	Wells	Howard	
Rutter, Dan	Taunton	The Queen	
Salsbury, Tho.	Wells	Howard	
Salter, James	Dorchester	Booth	
Salter, Nicho. (of Upottery, husbandman)	Dorchester	Nipho	
Sam, John	Dorchester	Nipho	

# The Bloody Assizes.

## *Rebels Transported—continued.*

Name.	Place of Sentence.	To whom granted.	Remarks.
Sandy, Rob. (Sandis? of Culliton, Devon, husbandman)	Dorchester	Nipho	
Saunders, Hum.	Taunton	Musgrave	
Saunders, John	Wells	Howard	
Saunders, Tho.	Wells	Price	
Saunders, Will.	Taunton	The Queen	
Saunders, Will.	Dorchester	Booth	
Savage, Fran.	Wells	Howard	
Saxbee, Sam.	Taunton	Musgrave	
Say, John	Wells	Howard	
Say, Jonas	Wells	Howard	
Sourrier, Will.	Taunton	The Queen	
Seaman, Rob.	Taunton	Booth	
Seamore, John	Taunton	Booth	
Searle, Geo. (William of Whitford, Devon, husbandman?)	Wells	Howard	
Selfe, Will.	Wells	Howard	
Sellwood, Rich.	Wells	Howard	
Selwood, Will. (of Chard, clothier)	Dorchester	Musgrave	
Shale, Robt.	Dorchester	Booth	
Sheppard, James	Wells	Howard	
Sheppard, Will.	Wells	Howard	
Sherry, Will.	Wells	Howard	
Shorland, Peter	Taunton	Musgrave	
Simon, John	Wells	Howard	
Skiff, John	Wells	Howard	
Slade, Hum.	Taunton	Musgrave	
Slade, John	Taunton	The Queen	
Slye, Robt.	Wells	Howard	
Smart, Gabriel	Wells	Howard	
Smith, Adam	Wells	Howard	
Smith, Frances (Francis?)	Dorchester	Nipho	
Smith, Geo.	Taunton	Musgrave	
Smith, James	Wells	Howard	
Smith, John	Taunton	Musgrave	
Smith, John } Twice	Taunton	Booth	
Smith, John }	Taunton	Booth	
Smith, Nicho.	Dorchester	Booth	
Smith, Phi.	Wells	Price	
Smith, Robt.	Wells	Howard	
Smith, Will. } Twice	Taunton	Booth	
Smith, Will. }	Taunton	Booth	
Smith, Will.	Wells	Howard	
Snoake, Tho. (of Whitechurch Canoniorum, labourer)	Wells	Howard	
Snooke, Hen.	Wells	Howard	
Snooke, Rich.	Wells	Price	
Snow, Geo.	Taunton	The Queen	
Soper, James	Taunton	Musgrave	
Spark, Ben.	Taunton	Musgrave	
Spearing, John	Dorchester	Booth	
Speed, Tho.	Wells	Howard	
Spence, Jam.	Dorchester	Booth	
Spiller, Rich.	Wells	Howard	
Sprake, John	Wells	Price	
Sprake, John	Dorchester	Musgrave	
Spreat, Will.	Taunton	Musgrave	

# Appendix A.

## *Rebels Transported—continued.*

Name.	Place of Sentence.	To whom granted.	Remarks.
Spurway, Robt.	Dorchester	Booth	
Staley, Andr.	Wells	Howard	
Standerwick, Nath.	Wells	Nipho	
Staple, Leonard	Taunton	The Queen	
Staunton, Will.	Wells	Howard	
Stephens, Eli.	Dorchester	Booth	
Stephens, Rich.	Taunton	Booth	
Stone, John	Wells	Howard	
Stoodley, John	Taunton	Booth	
Stower, John	Wells	Howard	
Strong, Char.	Dorchester	Booth	
Stuckey, Pasche	Wells	Howard	
Stuckey, Rob.	Wells	Howard	
Sturrick, John	Dorchester	Musgrave	
Sulley, Josuah	Wells	Howard	
Sutton, Jona.	Wells	Howard	
Sweet, Robt., Junr.	Wells	Price	
Sweet, Will.	Wells	Price	
Sweeting, Sam	Taunton	The Queen	
Symes, Hen.	Dorchester	Nipho	
Symons, Hen.	Wells	Howard	
Symons, Rich.	Taunton	The Queen	
Syms, Rich.	Wells	Howard	
Tapper, Rich.	Wells	Howard	
Tapscott, Will.	Taunton	Musgrave	
Teape, Robt.	Taunton	Booth	
Thomas, Abra. (of Honiton, yeoman)	Dorchester	Nipho	
Thomas, David	Wells	Price	
Ticken, Peter	Dorchester	Nipho	
Tilley, John	Wells	Howard	
Timothy, John	Taunton	The Queen	
Tiverton, Will.	Taunton	Booth	
Tollman, Timo.	Wells	Howard	
Tottle, Sam.	Taunton	Musgrave	
Townesend, Alex.	Taunton	Musgrave	
Townsend, Tho.	Dorchester	Booth	
Traske, Ben.	Wells	Price	
Tricks, Lewis (Henry)	Wells	Howard	Escaped in England
Trott, Tho.	Wells	Price	
Trubbs, Geo.	Taunton	The Queen	
Trump, Hum.	Taunton	Booth	
Truren, John (of Culliton, Devon)	Dorchester	Booth	
Tucker, Will. (of Allington, weaver)	Dorchester	Booth	
Tuckey, Tho.	Wells	Howard	
Turner, Rich.	Wells	Howard	
Vagg, Edw.	Wells	Howard	
Vater, Rob.	Dorchester	Nipho	
Venn, Edw. (? Wenn, of Collaton, cordwainer)	Dorchester	Nipho	
Venner, Tho.	Dorchester	Nipho	
Venting, Will.	Taunton	Musgrave	
Veruyard, Will.	Taunton	The Queen	
Vildey, Edw.	Taunton	Booth	
Vile, Edw.	Wells	Howard	
Vile, Tho.	Wells	Price	

# The Bloody Assizes.

## *Rebels Transported—continued.*

Name.	Place of Sentence.	To whom granted.	Remarks.
Viles, Tho.	Wells	Price	
Vincent, John	Dorchester	Nipho	
Vineing, Ambr.	Wells	Howard	
Vinicott, Joseph	Taunton	Booth	
Wadford, Will.	Dorchester	Booth	
Wadham, Rich.	Taunton	Booth	
Waggott, Tho.	Wells	Howard	
Wake, James	Wells	Howard	
Walker, Will.	Taunton	Booth	
Wall, John	Taunton	Booth	
Walsh, Stephen	Wells	Howard	
Walter, John	Taunton	Booth	
Walter, Tho.	Wells	Howard	
Warren, Geo.	Taunton	Booth	
Warren, John	Taunton	Booth	
Warren, Jose.	Wells	Howard	
Warren, Nicho.	Dorchester	Booth	
Warren, Will.	Wells	Howard	
Watts, John	Wells	Howard	Escaped in England
Weale, Natha.	Wells	Howard	
Weaver, Sam.	Wells	Nipho	
Webb, John	Wells	Howard	
Webb, Jonas	Taunton	The Queen	
Webber, Nath.	Dorchester	Booth	
Weech, John	Wells	Howard	Escaped in England
Wellis, Peter	Wells	Howard	
Wentmore, Hen.	Taunton	Musgrave	
West, Rich.	Wells	Howard	
Westlake, John	Wells	Price	
Whicker, John	Dorchester	Nipho	Escaped from Barbados and contributed to Pitman's Narrative
Whicket, Ben	Dorchester	Nipho	
White, John } Twice	Dorchester	Booth	
White, John }	Dorchester	Booth	
White, Robt.	Dorchester	Musgrave	
Whittle, Giles (of Merriott, husbandman)	Wells	Howard	
Whitty, Thomas (of Frome Selwood, clothier)	Taunton	Musgrave	
Wickham, Jos. (of Burnham, butcher)	Taunton	Booth	
Wilcox, Rich.	Wells	Howard	
Wilkins, Robt.	Wells	Howard	
Williams, John, Junr.	Wells	Howard	
Williams, John, Senr.	Wells	Howard	
Williams, Tho.	Dorchester	Booth	
Williams, Will.	Dorchester	Booth	
Willis, Robt.	Wells	Howard	
Willmott, Edw.	Wells	Howard	
Willmott, Edw.	Dorchester	Booth	
Willmott, Hugh	Dorchester	Booth	
Willmott, Rich.	Wells	Howard	
Wills, John	Wells	Nipho	
Wills, Will.	Dorchester	Booth	
Wilson, John	Dorchester	Booth	
Winter, Ambr.	Taunton	Booth	
Wiseman, Rich.	Wells	Price	

# Appendix A.

## *Rebels Transported—continued.*

Name.	Place of Sentence.	To whom granted.	Remarks.
Witherell, Joe	Wells	Price	Escaped from Barbados with Pitman
Woodcock, Will.	Taunton	The Queen	
Woodland, Math.	Wells	Howard	
Woodrow, Anth.	Wells	Howard	
Woodrow, John	Wells	Howard	
Woodward, John	Dorchester	Musgrave	
Woolridge, Will.	Taunton	Booth	
Worrall, John	Wells	Howard	
Wythman, John, Junr.	Wells	Price	
Young, Rich.	Wells	Howard	

## FOURTH LIST.

### *Fined, Imprisoned, or Whipped.*

Name.	Place of Sentence.	Crime.	Punishment.
Abbott, Hen.	Exeter	Seditious words	Fined
Allen, Hen.	Dorchester	" "	Fined and whipped
Andridg, Will.	Exeter	" "	Fined
Austey, John	Wells	" "	Fined, whipped, and imprisoned
Buckler, Benja.	Salisbury	" "	Fined and whipped
Burrough, Steph.	Exeter	" "	Fined
Crane, Robt.	Exeter	" "	Fined
Curtis, Will.	Exeter	" "	Fined
Dober, John	Dorchester	" "	Fined and whipped
Fisher, Will.	Exeter	" "	Fined
Gardiner, Giles	Exeter	" "	Fined
Goss, Leonard	Wells	" "	Fined 13/4 and imprisoned
Greene, Hugh	Dorchester	Publishing Monmouth's Declaration	Fined £1000, to be committed till paid, and to find sureties for life
Hadder, Will.	Exeter	Seditious words	Fined
Holleday, Richard	Dorchester	Conducted Lord Grey after Weston fight	To be whipped twice, fined a mark (13/4), and to find sureties for a year <sup>2</sup>
Holman, Will.	Dorchester	Seditious words	Fined and whipped
Holmes, John	Exeter	" "	Fined
Ingram, William	Salisbury	" "	Fined and whipped
James, Lewis	Exeter	" "	Fined
Jervis, John	Dorchester	" "	Fined and whipped
Moore, Ste.	Salisbury	" "	Fined and whipped
Moores, Rich.	Dorchester	" "	Fined and whipped
Morgan, Morrice	Salisbury	" "	Fined and whipped
Oasya, James	Wells	" "	Fined a mark, whipped, and imprisoned
Palmer, John	Salisbury	" "	Fined and whipped
Pitts, Tho.	Dorchester	Spreading false news	Fined and whipped. The fine was five marks (£3 6/8), and as he had smallpox he escaped the whipping. He was liberated by Lord Chief Justice Herbert in the following March

(John Tutchin). "That Hampshire was up in arms for the Duke, that he had seen both horse and foot on the hills near Christchurch, and that Argyle was in great strength and on the march within 60 miles of London"

<sup>2</sup> Pleading guilty on the 7th, and was ordered to be whipped through Dorchester that afternoon and the next market day through Shaftesbury.

# The Bloody Assizes.

*Fined, Imprisoned, or Whipped—continued.*

Name.	Place of Sentence.	Crime.	Punishment.
Satchell, Hen.	Wells	Seditious words	Fined £100 and to be whipped at five market towns
Smallbridge, John	Exeter	" "	Fined
Staple, Sam.	Exeter	" "	Fined
Viney, Sam.	Wells	" "	Fined 13/4, whipped, and imprisoned
White, Richard	Salisbury	" "	Fined and whipped
Williams, Wil.	Wells	" "	Fined 13/4, whipped, and imprisoned
Wiseman, Will. (a barber's apprentice at Weymouth)	Dorchester	Published a seditious libel	To be whipped at Dorchester and every market town in the county. The other market towns are Beaminster, Bridport, Gillingham, Shaftesbury, Sherborne, Sturminster Newton, Wareham, Weymouth, and Wimborne

The following appear only in the gaol book, possibly because these persons had no connexion with the rebellion :—

Brown, Eulalia	Dorchester	Seditious words	Fined five marks and whipped
Doleman, Susanna	Dorchester	False news	Fined 13/4
Grosse, Robt.	Dorchester	Seditious words	Fined five marks and to give bail for a year
Young, Edw.	Dorchester	" "	Fined five marks and whipped

## FIFTH LIST.

- A. Convicted and in custody. Crime not stated.  
 B. Omitted in the Warrant for execution though designed for execution (compare the Warrant set out in Appendix B).

Name.	Where Sentenced.	Ultimate Fate.
Bates, John	Taunton	B
Bird, John	Wells	B
Body, Tho.	Wells	B
Chappell, John	Taunton	B
Cooper, Jose.	Taunton	B
Dare, Gideon (of Luppitt, Devon, husbandman)	Taunton	B
Dare, Sam.	Taunton	B
Drower, Robt. (Zachary, of Oulliton, joiner?)	Devon	A
Holman, Elias	Devon	A
Liversedge, Alegen	Taunton	B
Merrick, Edw.	Wells	B
Miller, Geo. (of White Lackington, husbandman)	Taunton	B
Oastler, Will., Senr.	Wells	B
Pacey, John	Taunton	B
Price, James	Wells	B
Redwood, Tho.	Taunton	B
Rossitter, John	Taunton	B

Pardoned. See List 6  
 Transported. See List 3

Transported. See List 3

See List 6

# Appendix A.

*Convicted and in Custody, &c.—continued.*

Name	Where Sentenced,	Ultimate Fate.
Satchell, John of Taunton, yeoman)	Taunton	B See List 6
Sherborne, Will.	Taunton	B
Siller, Will., Junr.	Devon	A
Smith, James (of Frome, clothier)	Taunton	B
Way, Edw.	Taunton	B
Webb, Hen.	Taunton	B

## SIXTH LIST.

### *Pardoned.*

- A. Prisoners with certificates allowed under the King's Proclamation of 24th June (pardoning those supporters of Monmouth who came in within four days).
- B. Proposed for the King's Pardon.
- C. Reprieved by the judges

Name.	Where Tried.	Remarks.
Adams, Rich.	Not stated	B
Andersey, Tho.	Not stated	B
Andersey, Thomas	Wells	C Originally ordered for transportation by Sir William Howard
Andrewes, Phi.	Dorchester	A
Ashwood, John	Wells	C Originally ordered to be executed
Ashwood, John	Not stated	B
Baker, James	Wells	C Originally ordered to be transported by Sir William Howard
Baker, James	Not stated	B
Baker, Ja.	Dorchester	A
Bartlett, Nicho.	Dorchester	A
Bellamy, Joseph	Taunton	C Originally to be executed
Bellamy, Jose	Not stated	B
Bennett, Will. (of Crewkerne, mercer)	Dorchester	C Originally to Booth for transportation
Bird, John	Not stated	B See List 5
Biss, Geo.	Not stated	B
Bowditch, John	Dorchester	A
Broome, John	Wells	C Originally to be executed but died before execution
Broome, John	Not stated	B
Burage, Rich.	Dorchester	A
Burridg, John	Dorchester	B
Butcher, John, Senr.	Dorchester	A
Butcher, John, Junr.	Dorchester	A
Butter, Dan.	Dorchester	A
Calway, Tho.	Dorchester	A
Chinn, Tho. (John alias Richard of Wells, husbandman?)	Wells	B } The same man ?
Chinn, Tho.	Not stated	B }
Ohynn, Tho.	Wells	C Originally to be transported by Nipho
Clark, Adam	Dorchester	A
Connett, Tho.	Exeter	C

# The Bloody Assizes.

## *Pardoned—continued.*

Name.	Where Tried.		Remarks.
Cossens, Sam.	Dorchester	A	
Cox, James	Devon	B	
Dammer, Rich.	Dorchester	A	
Denham, John	Wells	C	} Originally to be transported by Nipho
Dorchester, John	Wells	C	
Dunkin, Timo.	Exeter	C	Originally to be executed
Gardiner, David	Dorchester	A	
Garnish, Sam.	Taunton	C	Originally to be executed
Goslin, John	Exeter	C	Originally to be executed
Gough, Seth.	Dorchester	A	
Halston, Robt.	Dorchester	A	
Hardy, Will.	Dorchester	A	
Hellyer, Nicho.	Dorchester	A	
Hoare, Rich.	Wells	C	Originally for transportation by Howard
Hoare, Roger (of Bridge-water, mercer)	Wells	C	} Pardon under Great Seal dated 24 Nov., 1685
Hoare, Roger	Not stated	B	
Jenkins, Robt.	Not stated	B	Originally for execution
Knight, Will.	Dorchester	A	
Lawrence, Tho.	Not stated	B	
Lawrence, Hen.	Taunton	C	Originally to be executed
Mallack, Malachy (of Axminster, clothier)	Not stated, but condemned at Dorchester and ordered to be executed at Bridport on the 12 Sept.	B	} A pardon was granted under the Great Seal on 15 Oct., 1685
Mead, John	Wells	C	
Meade, James	Not stated	B	} Originally to be transported by Nipho
Minifie, John	Dorchester	C	
Newberry, Jose	Not stated	B	
Newberry, Jos.	Taunton	C	Originally to be transported by Booth
Norman, James	Wells	B	
Oastler, Walter, Senr.	Not stated	B	See List 5
Osborne, Walter (of Crewkerne, dyer)	Not stated	B	
Osborne, Wal.	Dorchester	C	Originally to be transported by Nipho
Perkins, John	Dorchester	A	
Pitts, Jam.	Dorchester	A	
Plumley, Will.	Wells	C	Originally to be executed
Plumley, Will.	Wells	B	The same man ?
Rickman, Geo. (convicted for sending a horse into the rebellion, but died in prison)	Dorchester	A	
Rooper, Hugh	Wells	B	
Rooper, Hugh	Taunton	C	Originally to be executed
Rooper, John	Dorchester	A	
Rooper, Will.	Dorchester	A	
Ryves, alias Ryers, Will.	Not stated	B	
Satchell, John	Not stated	B	See List 5
Shirborne, Will.	Wells	B	
Smith, James	Wells	C	Originally ordered to be transported by Howard



# Appendix A.

## *Pardoned—continued.*

Name.	Where Tried.	Remarks.
Smith, James	Not stated	B *
Stone, Rich.	Dorchester	A
Stoodley, Sam.	Dorchester	A
Teape, Walter	Exeter	C Originally to be transported by Nipho
Teape, Walter	Not stated	B The same man ?
White, Will.	Dorchester	A
Wornell, Chris.	Wells	B

## SEVENTH LIST.

### *In Custody, Bailed, or Discharged.*

Name.	Place.	Remarks.
Acastle, Robt.	Wells	Remaining in custody
Adams, Rich.	Wells	" "
Adams, Sam.	Taunton	" "
Aplin, Will.	Wells	" "
Baker, Will.	Taunton	" "
Barge, Bartho.	Dorset	" "
Bayley, Tho.	Taunton	" "
Bennett, Will.	Dorset	Discharged for want of evidence
Bishopp, Tho.	Wells	In custody for want of evidence
Biss, Geo.	Wells	Remaining in custody
Bisse, John	Taunton	" "
Boulstone, Robt.	Dorset	Discharged for want of evidence
Brassey, Will.	Wells	Witness for the King, left in custody
Burt, Will.	Dorset	Discharged for want of evidence
Carter, James	Dorset	" " "
Casswell, Roger	Taunton	Remaining in custody
Clarke, Rob.	Taunton	" "
Clerk, Tho.	Taunton	" "
Clotworthy, Nicho.	Dorset	Discharged for want of evidence
Cornish, Tho.	Taunton	Remaining in custody
Cox, Rich.	Dorset	" "
Cox, Will., Junr.	Dorset	" "
Cray, Rich.	Wells	In custody for want of evidence
Critchell, Hugh	Dorset	Discharged for want of evidence
Dare, Tho.	Wells	Witness for the King, left in custody
Davison, Sam.	Wells	Remaining in custody
Davy, John	Dorset	In gaol, not indicted
Davy, Will.	Dorset	" "
Daw, Rob.	Wells	Remaining in custody
Eades, Will.	Wells	In custody for want of evidence
Edgehill, Rich.	Taunton	Remaining in custody
Edwards, James	Taunton	" "
Gardner, Fran.	Taunton	" "
Gillard, Hum.	Taunton	" "
Gilling, John	Taunton	" "
Grenefield, Fran.	Dorset	Discharged for want of evidence
Hacker, Tobl.	Taunton	Remaining in custody
Hagley, Lewis	Taunton	" " and died in prison
Hallett, Dan.	Taunton	" "
Ham, John	Taunton	" "
Hamond, <i>alias</i> Ham-wood, Edw.	Wells	" "
Hampton, Robt.	Taunton	" "

# The Bloody Assizes.

*In Custody, Bailed, or Discharged—continued.*

Name.	Place.	Remarks.
Hart, John.	Dorset	In gaol, not indicted
Harvey, Sam.	Taunton	Remaining in custody
Hawkins, Will.	Dorset	" "
Herring, James	Taunton	" "
Hollman, Step.	Taunton	" "
Indoe, James	Taunton	" "
Jenkins, Robt.	Taunton	" "
Jenkins, Will.	Dorset	In gaol, not indicted
Jones, John	Wells	Witness for the King, left in custody
Keeping, John	Wells	" " "
Lawrence, Tho.	Dorset	Remaining in custody
Long, Simon	Wells	Witness for the King, left in custody
Loveridge, Tho.	Dorset	Discharged for want of evidence
Martin, Will.	Taunton	Remaining in custody
Meade, John	Taunton	" "
Millward, Rich.	Wells	In custody for want of evidence
Mitchell, John	{ Two of same names ? } Dorset	Discharged for want of evidence
Mitchell, John		" " "
Norman, James	Wells	Remaining in custody
Northam, John	Taunton	" "
Orchard, Robt.	Dorset	In gaol, not indicted
Parbery, Tho.	Dorset	" "
Parsons, Tho.	Taunton	Remaining in custody
Phipplepp, Will.	Wells	In custody for want of evidence
Pinney, Alex.	Wells	" " "
Plat, Will.	Dorset	In gaol, not indicted
Platt, Rich.	Dorset	" "
Reeves, Will.	Taunton	Remaining in custody
Rossiter, Rich.	Wells	Witness for the King, left in custody
Russell, James	Wells	In custody for want of evidence
Russell, Will.	Wells	Remaining in custody
Searle, Will.	Taunton	" "
Sexton, Tho., <i>alias</i> Randall, Furnivall	Wells	Witness for the King, left in custody
Smith, John	Wells	" " "
Staple, Edw.	Dorset	Discharged for want of evidence
Story, Sam.	Wells	Witness for the King, left in custody
Strang, Jose	Wells	" " "
Strong, Rich.	Dorset	Discharged for want of evidence
Tanner, Rich.	Wells	Witness for the King, left in custody
Tirrell, Rich.	Taunton	Bailed at Taunton
Tole, David	Wells	Witness for the King, left in custody
Turle, James	Taunton	Remaining in custody
Turle, John	Taunton	" "
Turner, Geo.	Dorset	Discharged for want of evidence
Wagstaff, Moses	Taunton	Remaining in custody
Wale, Edw.	Dorset	" "
Wells, Geo.	Taunton	" "
Whaites, Will.	Taunton	Bailed at Taunton
Whifen, Leonard	Dorset	In gaol, not indicted
Wiley, John	Wells	Remaining in custody
Williams, Will.	Wells	Witness for the King, left in custody
Wiltshire, Will.	Wells	" " "
Wise, Gabr.	Dorset	Discharged for want of evidence

# Appendix A.

## EIGHTH LIST.

Prisoners bound at Wells each for other for their appearance at the next Assizes and for good behaviour in £100 each.

Andrews, John	Hellyer, Fran.	Raymond, Will.
Ashford, Thom.	Hellyer, Steph.	Rogers, John
Badge, Rich.	Hewlett, John	Rowsell, James
Baker, Edw.	Hewlett, Will.	Rowsell, John
Baker, Roger	Hurd, Jedediah	Sands, Robt.
Bedler, Hen.	Jeoffries, Arth.	Saunders, Will.
Bishopp, Edw.	Jennings, Fran.	Satchell, Hen.
Blackley, John	Joliffe, Tho.	Satchell, Thom.
Bowring, John	Lockyer, Nath.	Seagard, Rob.
Bragg, Will.	Lockyer, Tho.	Sheire, John
Brewer, John	Lowdon, Arth.	Sheppard, Sam.
Brewer, Peter	Lush, Will.	Shinler, John
Brown, Phi.	Lyde, John	Shinler, Will.
Browne, Tho.	Male, Fran.	Simpkins, Jose
Buckerell, Tho.	Manning, Antho.	Skinner, Rich.
Bucle, Hen.	Marks, John	Smith, Geo.
Cannady, Will.	Mead, John	Smith, Ralph
Carpenter, Tho.	Meldrome, John	Smithier, Rich.
Castland, Jeoffrey	Mitchell, John	Spender, John
Channing, Will.	Moore, John	Steer, Rich.
Cole, David	Norman, John	Tanner, Rich.
Cole, James	Norville, James	Tapper, Andr.
Cole, Will.	Oakey, Will.	Tarr, Will.
Combe, Will.	Oakley, Rowland	Taylor, John
Cornelius, Rich.	Oastler, Will.	Taylor, Tho.
Cox, Lance	Old, Will.	Thomas, James
Cozens, Will.	Olvard, Tho.	Thompson, John
Craydon, Edw.	Osmond, Chris.	Thompson, Steph.
Davis, Tho.	Ousely, Andr.	Townsend, John
Doeling, John	Pack, Sam.	Trent, Sam.
Dwellely, Sam.	Parsons, Geo.	Tucker, Math.
Dymock, Will.	Patten, John	Turner, Hen.
Ellis, Tho.	Patten, John	Walters, Rich.
Farr, Tom	Phippen, Fran.	Walters, Will.
Fideo, Walter	Phippett, Jeoffrey	Wansey, Robt.
Forster, Tho.	Pitts, James	Watts, John
Forward, Nicho.	Portlock, Robt.	Westcott, James
Game, Robt.	Pownell, James	White, Peter
Gibbs, Rich.	Prowse, Sam.	White, Will.
Gilling, Tho.	Pryor, Will.	Wilkins, Tho.
Griffin, Will.	Packer, John	Woodford, Hen.
Gundy, Nicho.	Raw, Robt.	Yorke, John
Hayward, Will.	Raymond, Geo.	

# The Bloody Assizes.

## APPENDIX B.

### LORD JEFFREYS' WARRANT TO EDWARD HOBBS, SHERIFF OF SOMERSET.

Dated 26 September, 1685, and annexing a schedule of prisoners to be executed, arranged under the places where they were to suffer.

*Note.*—No original of this Warrant is known, but there exists a copy of an ancient copy amongst the papers of Sir James Mackintosh at the British Museum (Add. MSS., 34516 ff., 21-24). The original copy was evidently in a very dilapidated condition, so that it has been necessary to fill in missing words in brackets, and as the schedule annexed to this is very defective, a copy of the schedule (which appears to be quite accurate) has been taken from Thomas Salmon's "A Collection of Proceedings and Trials against State Prisoners," published in 1741.

The Warrant itself runs—

"Whereas the severall [persons] in the schedules herewith annexed at the Sessions of Oyre and Terminer and [General Gaol] Delivery holden for this county were [convicted of] high treason and have received judgment of death to be drawne, hanged and quartered.

"These are to will and require you immediately on sight hereof to putt the same judgment in Execution in the severall places in the said schedules annexed. And for yor soe doing This shall be yor sufficient warrant. Given under my hand, and seale the six and twentyeth day of September Ao I. Jaco 2di Rgis 1685.

"Lett the Sheriff of the County of Somersett dispose of the heads and quarters of the severall psons that are to be executed in the schedules hereunto annexed in the severall places where they are to be executed or in the neighbouring parishes and for some few of them to be disposed as hee shall thinke fitt. Given under my hand and seale the six and twentyeth day of September. Anno Primo Jac Sodi Re 1685.

"Sr

I have sent you a copy [of] the warrant for execucion as alsoe a list of the severall psons to be executed and the places where they are to be soe executed. The sheriffe is to begin at Taunton this day and to-morrow at Wellington. I hope you will pardon me for not waiting on you att Wells as I pmised for he comanded to ride soe far as Amesbury, who is, your worpsps humble servant."

*Note.*—The name of the writer of this letter does not appear, but since the nineteen Taunton men were executed on 30th September, that was the date of his letter.

### THE SCHEDULE (FROM SALMON).

Names asterisked cannot be found in the Judges' lists, see Appendix A.

BATH (6)

Walter Baker  
Henry Body  
Gerard Bryant  
Tho. Clotworthy  
Thomas Collens  
John Carter

According to the Sheriff's own warrant of 16 November, 1685, four only were to be executed. Therefore two had either died or had been respited before that date

## Appendix B.

*The Schedule (from Salmon)—continued.*

PHILLIPS NORTON (12) Norton St. Philip)	Robert Cook	
	*Edward Creaves	
	Jo. Casewell	
	Thomas Hayward	
	John Hellyer	
	*Edw. Keare (Beere	
	Hen. Portridge	
	George Pether	
	Thomas Pearse	
	John Richards	
	John Staple	
	John Smyth	
	•	
ROME (12)	Francis Smyth	
	Sam Vill, <i>alias</i> Vile	
	*Thomas Ware (Star)	
	Phillipp Usher	
	Robert Beaumont	
	William Clemant	
	John Humfrics	
	George Hussey (Hasty)	
	Robert Man	
	*Thomas Paul (Pearle)	
RUTON (3)	Lawrence Lott	
	Thomas Lott	
VINCANTON (6)	James Feild, Junr.	
	Humphrey Praydon	
	Richard Bole (Boole)	
HEPTON MALLET (13)		
	*Stephen Mallet	
	Joseph Smyth	
	John Gilham, Junr.	
	Giles Bramble	
	Richard Chinn	
	William Cruise	
	Geo. Pavyor	
	John Holdsworth	
	John Axwood	
	(Ashwood)	Pardoned
	Tho. Smyte	
	John Dorchester,	
	Senr.	Reprieved
	John Combe	
	John Graves	
INSFORD (12)		
	Roger Cornelius	
	John Starr	
	Humphry Edwards	
	Edmunds	
	*William Pearse	
	Arthur Sullway	

# The Bloody Assizes.

*The Schedule (from Salmon)—continued.*

**PENSFORD—continued.**

George Adams  
Henry Russell  
George Knight  
Robert Wyne  
Wm. Clerk, *alias*  
Chick  
Preston Bevis  
Richard Finier

**WRINGTON (3)**

Alex. Key  
David Boyce  
Joshua French

**WELLS (8)**

William Mead  
Thomas Coade  
Robert Doleman  
Thomas Durston  
John Shepherd  
Abraham Bend  
Willm. Durston  
William Plumley

Reprieve

**WIVELISCOMBE (3)**

William Ruscombe  
Thomas Peirce  
Robert Combe

**CHEWTON MENDIP (2)**  
(Tuton upon Mendip)

Roger Prance  
William Watkins

**CHARD (12)**

Edward Fort  
John Knight  
Willm. Williams  
John Jervis  
Humphry Hitchcock  
William Godfrey  
Abe. Pill  
William Davey  
Hen. Eastabrooke  
James Drunett  
Edward Warren  
Symon Crosse

**CROOKHORNE (10)**  
(Crewkerne)

John Spore  
Roger Burnell  
William Pether  
James Every  
Robert Hill  
Nicholas Adams  
Rich. Stevins  
Robert Halswell  
John Bushell  
William Lasely

**SOMERTON (7)**

William Gillet  
Tho. Lissant  
William Pocock  
Christopher Stevens  
Geo. Candick  
Robert Allen  
Joseph Kelloway

## Appendix B.

*The Schedule (from Salmon)—continued.*

YEOVIL (8)	Francis Foxwell	
	Geo. Pitcher	
	Barnaby Devericks	
	(Devereaux)	
	Barnaby Thatcher	For concealing of Bovet
	William Johnson	
	Thomas Harford	
	Edward Gillerd	
	Oliver Powell	
NETHER STOWEY (3)	Hum. Mitchell	
	Rich. Culverwell	
(Netherstoe)	*Merick Thomas	
DUNSTER (3)	Henry Tuckwell	Two only executed in Dec., according to newsletter of Dec. 8th
	John Jeaves	
	William Sulley	
DULVERTON (3)	John Basely	Two only executed in Dec., according to newsletter of Dec. 8th
	John Loyd	
	Hen. Thompson	
BRIDGWATER (12)	Robert Francis	
	Joseph Bellamy	Reprieved
	William Mogeridge	
	John Hurman	
	Hugh Roper (Rooper)	Pardoned
	Richard Harris	
	Nicholas Stodgell	
	Richard Ingram	
	(Ingram)	
	John Trott	
	Roger Guppy	
	Isaiah Davies	Pardoned
	Roger Hoare	
RATOLIFFE HILL AT BRISTOL (6)	Richard Evans	Ordered to be executed on 9 Oct. One died of smallpox, "two more were sick of it," and Evans escaped. He was not recaptured until January and was then executed (newsletter of 13 Oct.)
	John Tucknell	
	*Christopher Clarke	
	Edward Tippet	
	Phillipp Cambridge	
	John Glover, <i>alias</i>	
	Tucker	
ILMINSTER (12)	Nicholas Collins,	Whiting, a Quaker, was in prison in Ilminster gaol at the time and says that eight only were executed. "Persecution exposed," by J. Whiting
	Senr.	
	Stephen Newman	
	Robert Lackis	
	William Kitch	
	*Thomas Burnard	
	(Bernard)	
	William Wellen	
	John Parsons	
	*Thomas Trocke	
	Robert Fawne	
	Weston Hillary	
STOGERSEY (2)	John Burgess	
	Charles Speake	
	Hugh Ashley	
	John Herring	

# The Bloody Assizes.

*The Schedule (from Salmon)—continued.*

WELLINGTON (3)	Francis Preist Phillipp Bovett Robert Reed	Executed on 1 Oct., according to the letter with the copy of this warrant
SOUTH PETHERTON (3)	*Cornelius Hurford (Furford) John Parsons Thomas Daveys	
PORLOCK (2)	James Gale Henry Edney	Both executed in Dec. according to newsletter of Dec. 8th
GLASTONBURY (6)	John Hicks Richard Peirce Israel Briant William Meade James Pyes John Broome	Reprieved
TAUNTON (19)	Robert Perratt Abraham Ansley Abraham Mathews Benjamin Hewling William Jenkins Henry Lisle John Dryer John Hucker Jonathan England John Sharpe Peirce Morren John Fricker (Freaker) John Savage William Davison John Williams John Patrum John Whetham William Satchell John Trickey	Executed on 30 Sept.
LANGPORT (3)	Humphry Peirce *Nicholas Venting (Venton) John Selwood	
AXBRIDGE (6)	(Thomas) Munday John Butcher Isaac Tripp *Thos. Burnell Thos. Hillary John Gill, Senr.	
COTHELSTONE (2)	Richard Bovett Thomas Blackmore	
MINEHEAD (6)	John Jones, alias Evans Hugh Starke Francis Barlett Peter Warren Samuel Hawkins Richard Sweet	Three only executed according to newsletter of 8 Dec., 1685



## Appendix B.

*The Schedule (from Salmon)—continued.*

<b>ILCHESTER (12)</b> (Iwelchester or Evilchester)	Hugh Goodenough Samuel Cox William Somerton John Masters John Waldron David Langwell Osmond Barrett Mathew Crosse Edmond Burford John Mortimore John Stevens Robert Townsend	
<b>STOGUMBER (3)</b>	George Hilliard John Lockstone Arthur Williams	
<b>CASTLE CARY (3)</b>	Richard Ash Samuell Garnish *Robert Hinde	Reprieved
<b>MILBORNE PORT (2)</b> (Milton Port)	Archibald Johnson James Maxwell	
<b>KEYNSHAM (11)</b>	Charles Chapman Richard Bowden Thomas Trocke (Trock) Lewis Harris Edward Halswell Howell Thomas George Badoe Richard Evans John Winter *Andrew Rownsden John Philefrey	

Total 239, diminished by deaths from smallpox, respites, and escapes.

# The Bloody Assizes.

## APPENDIX C.

PERSONS EXCEPTED BY NAME IN JAMES II.'S GENERAL PARDON OF 10TH MARCH, 1686.

"And also excepted out of this Our General Pardon the persons herein-after particularly mentioned, viz., George Speke of White Lackington Esq., Mary Speke, his wife, John Speke Esq., their son, Samuel Townsend of Ilminster, Reginald Tucker of Long Sutton, James Hard of Langport, George Pavior of the same, Gabriel Spratt, of Aish Pryors, George Cary of Glaston, John Lewis of Babcary, Thomas Lewis of the same, John Parsons of the same, Thomas Cram of Warminster, (blank) Place of Eddington, Robert Gee, of Martock, Hugh Chamberlain, William Savage of Taunton, Richard Slape, of the same, John Palmer of Bridgewater, John Webber of the same, Henry Herring of Taunton, Thomas Hard of Langport, Christopher Cooke of Wilton, clothier, Amos Blinham of Galhampton, Mrs.<sup>3</sup> Musgrave, schoolmistress, Mrs. Sarah Wye, Mrs. Elizabeth Wye, Mrs. Catherine Bovet, Mrs. Scading, Mrs. Mary Blake, Mrs. Elizabeth Knash, Mrs. Mary Bird, Mrs. Mary Mead, Mrs. Susan Peck, Mrs. Elizabeth Barns, Mrs. Mary Burridge, Mrs. Hannah Burridge, Mrs. Grace Herring, Mrs. Anne Herring, Mrs. Mary Waters, Mrs. Sarah Waters, Mrs. Elizabeth Germain, Mrs. Grace Germain, Mrs. Hannah Whetham, Mrs. Easter Whetham, Mrs. Susan Tyler, Mrs. Gooding, Mrs. Sarah Langham, Mrs. Margery Sympson, Mrs. Sarah Reynolds, Mrs. Mary Hucklebridge, Mrs. Margaret Hucklebridge, Mrs. Mary Baker, Mrs. Mary Tanner, Mrs. Anne Tanner, Mrs. Elizabeth Gannon, Mrs. Sarah Stacy, Mrs. Hannah Stacy, Mrs. Elizabeth Dyke, Mrs. Elizabeth Baker, Mrs. Mary Smith, Mrs. Mary Page, Mrs. Elizabeth March, Mrs. Hannah Grove, Mrs. Elizabeth Bisgood of Taunton, John Tucker of Shepton Mallet, John Bennet of Alisbeere, gent., John Greenway of Crewkern, Thomas Skinner of Dawlish Esq., John, alias Robert, Moor of Haychurch, William Way of Combe St. Nicholas, Robert Hucker of Taunton, (blank) Penny, of Shepton Mallet, Thomas Hooper, Edward Keetch, William Parbury, (blank) Green, William Hussey, William Strobe of Street Esq., Mary Bath of Wrington, George Legg of the same, Edward Rogers of Banwell, John Rogers of the same, Ralph Green, William Jobbins, (blank) Manning, (blank) Whinnell, John Baker of Banwell, (blank) Worms of Warminster, (blank) Worms of the same, William Pardoe, Nicholas Smith, John Edwards, John Collier, Henry Coles of Bridgewater, Richard Blucock of Stoke Gurse, Henry Ireton, John Cragg alias Smith, Mary Jennings, James Hooper, John Bennett, Joseph Gatch, William Thompson of London, Humphrey Aldmyn of the same, Thomas Love alias Alexander of the same, Richard Tucker of Bishops Hall, William Crab of Aishill, gent., Francis Gough of the same, Francis Vaughan of Criston Esq., Lawrence French of Chard, Edward Matthews of Lincoln's Inn Esq.,

<sup>3</sup> It should be remembered that "Mrs." or "Mistress" was applied indifferently to all women in these days. "Miss" was an opprobrious term.

## Appendix C.

Hugh Cross Senr of Bishops Hall, Samuël Bernardiston, Benedict Hack of Culliton, Henry Quick of Uppobry, John Combe of Tūppitt, Henry Gatchiel, Nicholas Hore, George Pippen of Dalverton, Abraham Carie of Taunton, John Huish, Peter Terry, Richard Raw, Maurice Frith of Wincanton, William Liggins of Forde, John Kerridge of Lime Regis, Mariner Robert Parsons, Samuel Venner, Andrew Fletcher, John Fowke, Robert Bruce, Anthony Bruce, James Fox, Joseph Gaylard, William Oliver, John Wootters, Nathaniel Hook, Clerk, Richard Lucas of Worle, (blank) Dore, Mayor of Limington, James Carrier of Ilminster, Nicholas Covert of Ilchester, John Tripp of Shipham, Joseph Hearse of Badgworth, Francis Creswick of Farnham, (blank) Fudge of Wedmore, Col. John Rumsey, Joshua Lock junr., Steven Lobb, Clerk, William Gaunt, Ralph Alexander, Bartholomew Vermuyden, Maj. John Manley, Isaak Manley, his son, Walter Thimbleton, Aaron Smith of London, Sir William Waller, Slingsby Bethel, Francis Charlton, Richard Goodenough, Nathaniel Wade, John Tellier, Richard Edghill, Samuel Story, John Jones, John Vincent, George Bowyer, John Dutton Colt, Charles, Earl of Macclesfield, John Trenchard, John Wildman, Titus Oates, Clerk, Robert Ferguson, Clerk."



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